

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

3 UNITED STATES OF AMERICA,)
4 Plaintiff,)
5 -vs-) Case No. 19 CR 567
6 ROBERT SYLVESTER KELLY, a/k/a) Chicago, Illinois
"R. Kelly"; DERREL McDAVID;) August 18th, 2022
7 and MILTON BROWN, a/k/a "June) 2:03 p.m.
Brown,")
8 Defendants.)

VOLUME 4-B

TRANSCRIPT OF PROCEEDINGS - Trial

BEFORE THE HONORABLE HARRY D. LEINENWEBER, and a Jury

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13 Also Present: Ms. Melissa Siffermann, Homeland Security Investigations

1 (Proceedings heard in open court. Jury in.)

2 THE COURT: Please be seated.

3 The witness may resume the stand.

4 Ms. Appenteng, you may continue your direct
5 examination.

6 MS. APPENTENG: Thank you, Your Honor.

7 JANE, GOVERNMENT'S WITNESS, PREVIOUSLY SWORN

8 DIRECT EXAMINATION (RESUMED)

9 BY MS. APPENTENG:

10 Q. Jane, you can take off your mask.

11 A. Okay. Thank you.

12 Q. And pull that microphone nice and close.

13 Now, you explained in your testimony earlier today
14 that the conversations changed to sex talk with Mr. Kelly.

15 Do you recall that testimony?

16 A. Yes.

17 Q. Can you explain to the jury if you know why you all
18 engaged in sex talk at that time?

19 A. Again, after he became my godfather, there became an
20 attraction, and he started making advances, and that's how it
21 unfolded.

22 Q. And why did you engage in the sex talk with him?

23 A. I just kind of went with the flow. He kind of threw me
24 off. I wasn't exactly sure how to respond or how I should
25 handle it, so I just was being responsive.

1 Q. And how did you view him, Mr. Kelly, at that time when the
2 sex talk started and you participated in it? How did you view
3 him at that time?

4 A. As an authoritative figure.

5 Q. What do you mean? Can you explain that?

6 A. Well, he was an adult, and he was somebody that I looked
7 up to, so he was an authoritative figure over me at the time,
8 aside from the sexual acts or anything like that. So, again,
9 I went with the flow.

10 Q. Okay. And then we talked -- in your testimony, you
11 explained to the jurors that the -- you started to engage in
12 sex acts. And, again, we are talking about before you turned
13 15 when the sexual intercourse began. Okay. So we're talking
14 about that time frame between -- when you were 14 years old.

15 A. Mm-hmm.

16 Q. Why -- and you said you engaged in sex acts with
17 Mr. Kelly.

18 Why did you participate in those sex acts?

19 A. It was out of intimidation. And, again, like, he was an
20 authoritative figure, so I didn't know how to respond. I
21 didn't know how to say no. I felt uncomfortable, but at the
22 same token, I looked up to him. I did see him as an
23 authoritative figure, so I just kind of went along with
24 things, and then it somewhat became normal.

25 Q. Okay. So when you say "it somewhat became normal," what

1 do you mean? What did you start feeling for him?

2 A. I started having feelings for him. I was attracted to him
3 in that way, and things were happening so frequently, it was
4 kind of just like being done out of repetition.

5 Q. And when you say things that were happening so frequently,
6 what are you talking about?

7 A. Sexual involvement, engagement, and our interactions.

8 Q. Okay. And then -- again -- so we were talking about the
9 period when you were 14 and sex acts were occurring.

10 And then you explained to the jury that when you were
11 15, that progressed to sexual intercourse; is that correct?

12 A. Yes.

13 Q. And you had explained that you knew you were 15 because
14 you had lost your virginity; is that right?

15 A. Correct.

16 Q. And just to be clear, who -- to whom did you lose your
17 virginity?

18 A. Robert.

19 Q. And how were you feeling about him around that time, when
20 you engaged in -- first began engaging in sexual intercourse
21 when you were 15?

22 A. I developed feelings for him, and I felt good about our
23 interactions.

24 Q. What are some of the things that, if any, he was saying to
25 make you feel good about your interactions?

1 A. That he loved me, that he would take care of me, that he
2 was my protector.

3 Q. And what were your -- what were your responses to those --
4 those things that he was saying about being -- that he would
5 protect you and that he loved you?

6 A. I would respond in the same way, "I love you, too," and I
7 would feel good about the level of comfort that he was giving
8 me. So it made me feel good.

9 Q. And you also talked about -- there was a point where you
10 were willing to bring in your friends into the sexual acts and
11 sexual intercourse with Mr. Kelly.

12 Why were you comfortable -- I take that back.

13 Why did you do those things?

14 A. Because I considered myself to be a submissive person and
15 I wanted to give him what he wanted or required.

16 Q. What were the ways in which you encouraged your friends --
17 again, we were talking about specifically Pinky and Brittany
18 -- to join you all in those sex acts?

19 A. It would start off as like joking conversations of me
20 having a crush on him or just discussing different
21 interactions that me and him had just to gauge like how they
22 might feel or if they would want to be included.

23 Q. When we were talking about Brittany earlier, you mentioned
24 that she was older than you. How much older than you was
25 Brittany -- is Brittany?

1 A. I believe a year.

2 Q. So when you engaged -- first engaged in sex acts with
3 your -- was it your testimony that that occurred when you were
4 15?

5 A. Yes.

6 Q. And so Brittany would have been how old?

7 A. 16.

8 Q. And can you please explain to the jury that first
9 experience, if you will, with Brittany, how you engaged her
10 into the sex acts with Mr. Kelly.

11 A. It would start out with me just joking and saying, like,
12 "Oh, I have a crush on him. He's like -- I like his music. I
13 like when he says this with the music or that. It was like
14 things that he would have me to say that would make them --
15 like put something on their minds to be engaged with us.

16 Q. And can you recall the first instance with Brittany when
17 that -- the first time it happened with Brittany?

18 A. It was at Chicago Trax in the lounge of the studio.

19 Q. Okay. If you recall, can you just describe that
20 interaction.

21 A. We were all sitting on the couch after a studio session,
22 watching TV is how we would usually go or maybe listening to
23 some music that had just got finished up, and then we would
24 start by like him saying, "I want to see you do this to
25 Brittany" or "I want to see this or that." And that's when

1 the emotions would start or the interactions would start
2 sexually.

3 Q. And when you say he was saying, "I want to see you do
4 this" or "I want to see you do that," what were those things?
5 Can you describe them.

6 A. Kissing, grabbing on each other's breasts or like grinding
7 and holding each other by the waist and like dancing, dance
8 movements.

9 Q. Okay. And would you do those things as he instructed?

10 A. Yes.

11 Q. Why were you willing to do those things?

12 A. Again, I was thinking I was in love at the time and I was
13 being submissive and I wanted to give him what he wanted and I
14 didn't want to upset him or make him feel like I wasn't
15 cooperating, so I went along with it.

16 Q. Now, you had mentioned that you had feelings -- again,
17 when you were 14 and 15. But you had feelings for him that
18 you loved him; is that right?

19 A. Yes.

20 Q. And what, if anything -- or some of the things that he was
21 doing at this time when you were 14, 15, and 16 that made it
22 seem like he was -- you all were in love with one another?

23 A. Just the time that he would allow me to be around him,
24 through certain emotions or, like, certain things he would do
25 for me, like, if it was my birthday or if -- anything that I

1 wanted, he just made it seem like it was available to me. So
2 not just like materialistic, more like emotional support with
3 anything that I was going through, whether it was school, my
4 group, or friends, he was just there for me. He was
5 supportive.

6 Q. What about events; did he attend any events that you were
7 participating in?

8 A. Yes. It would be like if my group was doing something or
9 if I was having like basketball games, things of that nature.

10 Q. And what would he do at your music groups or basketball
11 games, if anything?

12 A. He would just show up and be supportive and, you know, it
13 looked really cool from my friends' perspective that I had
14 this celebrity showing up for me. So it was more so like
15 that.

16 Q. How did that make you feel when he showed up -- when he
17 showed up for you?

18 A. It made me feel good, excited.

19 Q. What, if anything, did he buy you in terms of gifts?

20 MS. BONJEAN: Objection. Foundation.

21 THE COURT: All right. Give some time frame.

22 MS. APPENTENG: Yes, Your Honor.

23 BY MS. APPENTENG:

24 Q. During the time frame when you were 14, 15, 16 years old,
25 what, if anything, did Mr. Kelly buy you in terms of gifts?

1 A. He bought me jewelry. He bought me a PT Cruiser.

2 Q. And, again, just during the time period you were 14, 15,
3 16.

4 A. Mm-hmm.

5 Q. You said jewelry?

6 A. Yes.

7 Q. What did he buy you?

8 A. He bought me a cross necklace.

9 Q. And how old were you when that -- when he bought you that
10 cross necklace, time frame?

11 A. I was about 17 or 18.

12 Q. Okay. And then when you were -- you mentioned a car?

13 A. Yes.

14 Q. And when -- when did he purchase a car for you?

15 A. When I turned 16.

16 Q. Where were you when you -- when he purchased this car?

17 A. In Florida.

18 Q. Okay. What type of car was it?

19 A. A black PT Cruiser.

20 Q. You said you were in Florida?

21 A. Yes.

22 Q. How -- did the car come back to Illinois with you at some
23 point?

24 A. Yes.

25 Q. Do you recall how it got back here?

1 A. I'm not exactly sure.

2 Q. What did you tell your friends about this car?

3 A. I told them that my godfather bought me a new car and that
4 I was excited to take them for a ride, and that was pretty
5 much it.

6 Q. Were you allowed to tell people about this car, that he
7 bought it for you?

8 MS. BONJEAN: Objection to the foundation of that
9 question. Allowed by whom?

10 BY MS. APPENTENG:

11 Q. What, if anything, did Mr. Kelly tell you about who you
12 could share the car with?

13 MS. BONJEAN: Objection. The car or the information
14 about the car?

15 THE COURT: I'm not -- I don't see the basis of the
16 objection.

17 You can clarify it, if you wish.

18 Go ahead.

19 BY MS. APPENTENG:

20 Q. What, if anything, did Mr. Kelly say that you could tell
21 people about the car?

22 A. Just to only share with my close friends and family and
23 that I was not allowed to have any guys in the car.

24 Q. You mentioned a necklace that Mr. Kelly purchased for you,
25 and you said that -- how old -- you were 17 or 18 years old?

1 A. Yes, about 17 or 18.

2 Q. Did you already have a cross necklace?

3 A. Yes.

4 Q. Who gave you the cross necklace that you already had when

5 Mr. Kelly gave you a second cross necklace?

6 A. My parents.

7 Q. When did they give you that -- when did they give you that
8 necklace?

9 A. When I was about 13.

10 Q. Were your parents with you when Mr. Kelly bought --
11 purchased the PT Cruiser for you?

12 A. Yes.

13 Q. Did they question why he purchased this car for you?

14 A. No, they didn't question it. They were excited for me.

15 Q. During this time period when you were engaging in sex acts
16 and sexual intercourse with Mr. Kelly -- so you were 14, 15,
17 16; that's the time period we're talking about right now --
18 who, if anyone, did you tell that you were engaging in these
19 sex acts and sexual intercourse?

20 A. No one knew besides Brittany and Pinky.

21 Q. And why is that?

22 A. Because I was told to keep it a secret and not to share it
23 with anyone.

24 Q. Who told you to keep it a secret and not share it with
25 anyone?

1 A. Robert.

2 Q. When did he tell you this?

3 A. As soon as we became involved sexually.

4 Q. So this was -- was this around the time you were having
5 phone sex, so when you were 14?

6 MS. BONJEAN: I'm going to --

7 BY THE WITNESS:

8 A. Yes.

9 MS. BONJEAN: -- object to the leading.

10 How about when did that happen? That's the
11 appropriate question, not the leading.

12 THE COURT: Yes, it's leading. So -- go ahead.

13 MS. APPENTENG: Yes, Your Honor.

14 BY MS. APPENTENG:

15 Q. When did this happen when he first instructed you not to
16 tell anyone?

17 A. When I was about 13 or 14 and we became sexual.

18 Q. Okay. When you say "became sexual," does that include the
19 phone conversations? Do you include that when you're saying
20 "we became sexual"?

21 A. Yes.

22 Q. Did his instructions in terms of keeping it quiet or a
23 secret -- I think those were your words -- did that ever
24 change?

25 A. Can you rephrase the question for me, please?

1 Q. What did he tell you about keeping your -- the sexual acts
2 a secret?

3 A. That it was very important that I didn't share our sexual
4 relationship with anyone because he could get in a lot of
5 trouble and he wanted to protect that side of things. So he
6 was just overly stressing how important it was that I remain
7 loyal to him and not share this involvement with anyone.

8 Q. Did you want to share it with anyone at that time? Again,
9 we're talking about when you were 14, 15, 16 years old.

10 A. Yes.

11 Q. At that time who did you want to share it with?

12 A. I wanted to share it with my friends. I thought about
13 sharing it with my aunt. Eventually I did.

14 Q. But not at the time when you were 14, 15, and 16; is that
15 right?

16 A. No, not at that time.

17 Q. And in your mind, why did you -- why did you not share it
18 with those friends that you wanted to share it with when you
19 were 14, 15, and 16?

20 A. Because I was afraid.

21 MS. BONJEAN: I'm going to object.

22 You mean aside from Pinky and the other -- Brittany?

23 I'm just confused at this point.

24 MS. APPENTENG: Your Honor, if we could not have
25 speaking objections.

1 THE COURT: Well, I don't see a basis for the
2 objection.

3 MS. BONJEAN: Well, she said her friends. I would
4 object on foundation. It's not clear to me because she
5 previously testified that she was having threesomes with
6 Pinky --

7 THE COURT: Just a minute. Let me see.

8 All right. The objection is overruled, but let's go
9 on.

10 BY MS. APPENTENG:

11 Q. The question was: What -- what did you want to share with
12 your friends when you were 14 and 15 and 16 about the sexual
13 relationship with Mr. Kelly?

14 A. I more so wanted to share the relationship because I was
15 excited. Again, I thought I loved this person, and it
16 wasn't -- it was exciting but a secret. So there were times
17 other than Brittany or Pinky that I was close to people that I
18 would have liked to share what was happening between us, but I
19 didn't feel comfortable doing that because I was told to keep
20 it a secret.

21 Q. And you had said that you were -- you were scared, and
22 that's where we had stopped before the judge --

23 MS. BONJEAN: I'm going to object. That is leading.

24 THE COURT: Objection. She answered the question.
25 Let's move on.

1 BY MS. APPENTENG:

2 Q. All right. Let's move to when Mr. Kelly and you were
3 engaged in sex acts and sexual intercourse. Again, that time
4 frame where that shifted was 14 to 15 years old.

5 Did Mr. Kelly ever record you two engaged in sexual
6 activity?

7 A. Yes.

8 Q. And when did that start?

9 A. When I was 14.

10 Q. Do you recall the first time that he recorded you two
11 engaged in sex acts?

12 A. Not the first time, but I recall around the time it
13 started happening, yes.

14 Q. Okay. How were the recordings made? What equipment was
15 being used to make the recordings?

16 A. There was lighting, camcorders.

17 Q. How did you feel about being recorded?

18 A. I felt uncomfortable.

19 Q. Why did you go along and do it if you felt uncomfortable?

20 A. Because, again, he was an authoritative figure over me,
21 and I didn't feel comfortable telling him no or I didn't want
22 to look awkward for engaging and not participating. So I just
23 went with the flow of whatever he said to do.

24 Q. Where did these recordings take place? Again, when you
25 were 14, 15, and 16 years old.

1 A. It would be on the bus at the studios, whether that was
2 Chicago Trax or B.A.S.E. Productions, as well as the George
3 Street house.

4 Q. Was there -- what if -- was there any setup to these
5 recordings? Would you discuss them in advance?

6 A. No.

7 Q. When the -- the first time there was a recording, how did
8 you know that -- that you were being recorded? How did you
9 know that it was happening?

10 A. Because he let me know that he wanted to videotape me, and
11 when we were in the room, he was, like, setting everything up
12 as far as like, again, lighting and the camcorder and things
13 like that.

14 Q. Why was there -- sorry. You said when he was setting up
15 the camcorder. What would he do to set up the camcorder?

16 A. Put the tape in, position the camera a certain way, just
17 get certain, like, angles with lighting.

18 Q. Okay. So prior to your testimony today, did you view some
19 of these recordings that Mr. Kelly made of him and you
20 engaging in sex acts?

21 A. Yes.

22 Q. Specifically, did you view three separate and distinct
23 sexual encounters?

24 A. Yes.

25 Q. Where did these sexual encounters -- oh, let me back up.

1 When I say "three separate and distinct," were those
2 different times -- at different times?

3 A. Yes.

4 Q. Where did these three sexual encounters occur?

5 A. One was in the living room at the George Street house, one
6 was upstairs in the bedroom of the George Street house. And
7 the other one was in the log cabin of the George Street house.

8 Q. And when you say "log cabin of the George Street house,"
9 what room is that?

10 A. It's like the basement, like log cabin area.

11 Q. Okay. What -- is there any type of special equipment or
12 something that's in that room?

13 A. Yes, a Jacuzzi.

14 Q. Okay. And you saw that in the pictures that we reviewed?

15 A. Yes.

16 Q. No, we did not review those earlier.

17 You saw those in the pictures we reviewed prior to
18 your testimony; is that correct?

19 A. Mm-hmm.

20 Q. Now, before we discuss these -- these recordings, I'd like
21 for us to get on the same page about the location that you are
22 talking about.

23 I'm showing you what's been already admitted into
24 evidence as Government's Exhibit 112-A.

25 All right. You see that on the screen in front of

1 you, 112-A?

2 A. Yes.

3 Q. Do you recognize the building that's depicted in 112-A?

4 A. Yes.

5 Q. What is that?

6 A. The George Street house.

7 Q. And, again, that's the place where these three sexual
8 encounters that you're talking about occurred?

9 A. Yes.

10 Q. All right. Let's start with the sexual encounter --
11 encounters that occurred, as you stated, in Mr. Kelly's
12 bedroom and in his living room.

13 For the purpose of this trial, we're calling those,
14 respectively, Video 3, the video in the bedroom -- the
15 recording in the bedroom, and Video 2, the recording in the
16 living room.

17 I'm showing you what's been previously marked as
18 Government's Exhibit 002.

19 Do you see that in front of you?

20 A. Yes.

21 Q. Does Government Exhibit 2 contain depictions of two
22 separate sexual encounters?

23 A. Yes.

24 Q. Are those two encounters Video 3, which we were just
25 talking about that occurs in the bedroom, and Video 2, which

1 occurs in Kelly's living room?

2 A. Correct.

3 Q. And how do you recognize it to be the disk that contains
4 those two depictions of those two sexual encounters?

5 A. With my initials and the date.

6 Q. I'm sorry. Can you speak into the mic.

7 A. Through my initials and through the date.

8 MS. BONJEAN: I'm sorry, Counsel, what exhibit is
9 this?

10 MS. APPENTENG: Government's Exhibit 002.

11 MS. BONJEAN: And is this one of the exhibits you
12 provided to us?

13 MS. APPENTENG: It's -- no. It's -- we can't provide
14 it to you. It's contraband. I can show it to you.

15 MS. BONJEAN: That seems fair.

16 THE WITNESS: Thank you.

17 BY MS. APPENTENG:

18 Q. Okay. So, again, the question was: How do you recognize
19 it to be the disk that contains those two scenes?

20 A. Through my initials and the date.

21 Q. And your initials and the date are where? Where do they
22 appear?

23 A. On the lower left hand of the disk.

24 Q. Did you watch each of those sexual encounters, Video 3 and
25 Video 2, from beginning to end?

1 A. Yes.

2 Q. Did you watch them with sound?

3 A. Yes.

4 Q. And who are the individuals depicted in Videos 3 and 2 on
5 Government's Exhibit 002?

6 A. Robert and myself.

7 Q. Do you recognize the voice in the Videos 3 and 2 to be
8 yours and Mr. Kelly's?

9 A. Yes.

10 Q. In general terms for now, what is depicted on Government's
11 Exhibit 002?

12 A. I get confused with the numbers, but I can --

13 Q. Sure. You can just describe the two sex scenes.

14 A. Okay. The one in the living room was taking place on the
15 floor, on the tile part of the floor in front of the projector
16 screen; and the other one took place in the upstairs bedroom
17 on the bed.

18 Q. And in both of those scenes, you're engaging in sex acts
19 with Mr. Kelly; is that correct?

20 A. Yes.

21 Q. How old were you when the acts depicted in those two
22 sexual encounters occurred?

23 A. 14.

24 Q. Does Video 3 -- that's the -- the scene in the bedroom
25 that you were talking about -- truly and accurately depict the

1 sexual encounter that occurred between Robert Kelly and you in
2 his bedroom at 1010 George Street when you were 14 years old?

3 A. Yes.

4 Q. And does Video 2 truly and accurately depict a sexual
5 encounter that occurred between Robert Kelly and you in his
6 living room at 1010 George Street when you were 14 years old?

7 A. Yes.

8 MS. APPENTENG: Your Honor, the government would move
9 to admit Government's Exhibit 002.

10 We're not publishing it. I'm just moving --

11 THE COURT: Pardon?

12 Are there objections in addition to the previous --
13 any objections, I guess I should say?

14 MS. BONJEAN: Judge, I don't -- I mean, I don't know
15 that that's properly authenticated. We haven't seen it. I
16 don't know what she's identifying on that. It's a CD. It's
17 not original tape, but --

18 THE COURT: She has identified them. So over the
19 objection, I'll admit them.

20 MR. BRINDLEY: Judge, for the record, we'll object.

21 THE COURT: Pardon?

22 MR. BRINDLEY: Judge, for the record, we'll object to
23 chain of custody based on the current --

24 THE COURT: Yes. I understand. You don't need to
25 repeat that. That objection has been made. I overruled it.

1 So it's a standing objection.

2 All right. They're admitted.

3 (Government's Exhibit No. 002 was received in evidence.)

4 MS. APPENTENG: Thank you, Your Honor.

5 BY MS. APPENTENG:

6 Q. Let's talk a little bit about Video 3, the bedroom
7 encounter.

8 Can you please describe the bedroom that this
9 encounter occurred in.

10 A. There was a TV, a dresser, a bed. We were on the bed
11 engaging in sexual activity. At some points I was facing him
12 and at some points I wasn't.

13 Q. And can you describe generally the types of sex acts that
14 you two were engaging in.

15 A. He was laying down and I was on top of him, and he was
16 putting lotion on my face.

17 Q. Did the sex acts include oral sex?

18 A. Yes.

19 Q. And did they include -- again, you -- you said you were 14
20 at this time?

21 A. Yes.

22 Q. Did these sex acts include intercourse at this time?

23 A. No.

24 Q. Were you simulating sexual intercourse?

25 A. Yes.

1 Q. During the video, what, if any, statements did you make
2 about your age or your body parts?

3 A. I was referring to my body parts with my age as
4 14-year-old breasts, *et cetera*.

5 Q. Why were you doing that?

6 A. Because he asked me to.

7 Q. Were you indeed 14 years old at the time?

8 A. Yes.

9 Q. Turning to Video 3. Did you know that that sexual
10 encounter was being recorded at the time?

11 A. Yes.

12 Q. How did you know that?

13 A. Because I saw the videotape or the camcorder, I should
14 say.

15 Q. How did you feel about -- in that moment, because -- as
16 you sit here today, do you recall that encounter?

17 A. Yes.

18 Q. How did you feel about the recording -- it being recorded
19 at that time?

20 A. I felt uncomfortable.

21 Q. Why did you engage in -- why did you allow -- or why did
22 you continue with the sex acts as they were being recorded if
23 you felt uncomfortable?

24 A. Just out of obligation or intimidation, I just kind of --
25 I was uncomfortable, like, I was a little intimidated. And,

1 again, I was being submissive and I was thinking I was giving
2 him something that he wanted.

3 Q. How were you feeling about him in terms of any type of
4 feelings? You said at some point you did love him.

5 A. Mm-hmm.

6 Q. How were you feeling about that at this point, from when
7 you were 14 years old and you were being recorded during this
8 sex act?

9 A. That's when I begin to love him. So I felt as if I was in
10 a relationship and these were normal things to happen.

11 Q. Let's talk a little bit about Video 2. That's the living
12 room scene.

13 During Video 2, you already described it a little
14 bit, where did it occur again?

15 A. It was in the living room in front of the projector on the
16 floor laying on the towel -- tile.

17 Q. Can you describe what that -- the tile looked like?

18 A. It was, like, black, white, or gray.

19 Q. Showing you what's been previously admitted as
20 Government's Exhibit 112-0.

21 Do you see that on the screen in front of you?

22 A. Yes.

23 Q. What -- what is Government's Exhibit 112-0?

24 A. That's the living room space at George Street.

25 Q. Is this the same room where the sex acts that you are

1 describing and that are depicted on Government's Exhibit 002
2 took place?

3 A. Yes.

4 Q. And I'm showing you Government's Exhibit -- it's already
5 been admitted as Government's Exhibit 112-P. What's depicted
6 in 112-P?

7 A. That's the living room space at the George Street.

8 Q. Is this the same room -- is this the room that you're
9 talking about where the sexual encounter that appears on
10 Government's Exhibit 1- -- sorry -- Government's Exhibit 002
11 exists?

12 A. Yes.

13 Q. Now, during this video, Video 2, can you describe the sex
14 acts that Mr. Kelly engaged you in -- engaged in with you.

15 A. I was laying on the floor. He was giving me Cristal. It
16 was oral sex. And he urinated on my vagina.

17 Q. You said that he was giving you Cristal. Is that what you
18 said?

19 A. Yes.

20 Q. What is Cristal?

21 A. It's a champagne.

22 Q. How old were you? I'm sorry I didn't ask you, how old
23 were you at the time of this -- this sexual encounter?

24 A. 14.

25 Q. You testified that he urinated on you?

1 A. Correct.

2 Q. And what part of your body did he urinate?

3 A. My vagina.

4 Q. During this sexual encounter, what, if anything -- what,
5 if any, statements did you and/or Robert Kelly make regarding
6 your body parts and your age?

7 A. He asked me to say, "With my 14-year-old vagina."

8 Q. And did you say that?

9 A. Yes.

10 Q. Now, let's move on to that -- the final sexual encounter
11 that you testified earlier that you viewed prior to your
12 testimony today. That's the encounter that you said occurred
13 in the log cabin room.

14 And for the purposes of this trial, we're calling
15 that Video 1. Okay?

16 A. Mm-hmm.

17 Q. Okay. So you have there in front of you what's been
18 previously marked as Government's Exhibit 001.

19 Do you see that in front of you?

20 A. Yes.

21 Q. Does Government's Exhibit 001 contain a depiction of a
22 sexual encounter that occurred in Mr. Kelly's log -- as you
23 describe it, the log cabin room?

24 A. Yes.

25 Q. How do you recognize it to be a disk that contains that

1 sexual depiction?

2 A. Because it's initialed by me with the date.

3 Q. Did you watch that sexual encounter that appears on
4 Government's Exhibit 001 from beginning to end?

5 A. Yes.

6 Q. And did you watch it with sound?

7 A. Yes. Yes.

8 Q. And who are the individuals depicted in Video 1 that
9 appears on Government's Exhibit 001?

10 A. Robert and myself.

11 Q. Did you recognize the voices in Video 1 to be yours and
12 Mr. Kelly's?

13 A. Yes.

14 Q. And in general terms for now, what is depicted in Video 1
15 that is on Government's Exhibit 001?

16 A. There's the Jacuzzi. I'm sitting down giving him oral
17 sex, and he urinates on me.

18 Q. Are you doing other things in the video that you can
19 recall, as you sit here today?

20 A. Sitting on top of him and oral sex.

21 Q. How old were you when -- the acts depicted in Video 1,
22 which is on Government's Exhibit 001, how old were you when
23 those sexual acts occurred?

24 A. 14.

25 Q. Does Video 1 truly and accurately depict a sexual

1 encounter that occurred between Robert Kelly and you in the
2 basement or log cabin room at his house at 1010 George Street
3 when you were 14 years old?

4 A. Correct.

5 Q. I'm sorry. Can you just speak up for -- just for the
6 court reporter.

7 A. Yes.

8 MS. APPENTENG: Your Honor, we move to admit
9 Government's Exhibit 001. We are not publishing it at this
10 time.

11 THE COURT: It's admitted. You may publish it.

12 MS. BONJEAN: No, objection --

13 MR. BRINDLEY: We are renewing --

14 MS. BONJEAN: -- Judge.

15 MR. BRINDLEY: -- our same objection. I just want to
16 make sure.

17 MS. BONJEAN: Just for the record. Authenticity and
18 chain of custody.

19 MR. BRINDLEY: Agreed.

20 THE COURT: I said that I'd overrule those objections
21 prior to trial so that you don't need to raise them. I
22 understand that that's your objection and that will stand as
23 your objection. You don't have to repeat it.

24 (Government's Exhibit No. 001 was received in evidence.)

25 BY MS. APPENTENG:

1 Q. Now, you had described the room in which this encounter
2 occurred as the log cabin room. I'm showing you what's been
3 previously marked as Government's Exhibit No. 112-D.

4 Do you see that on the screen in front of you?

5 A. Yes.

6 Q. What is depicted in Government's 112-D?

7 A. The Jacuzzi in the basement of the log cabin.

8 Q. Is this -- does this truly and accurately depict the
9 location of where the sexual encounter occurred that's in
10 Video 1 on Government's Exhibit 001?

11 A. Yes.

12 Q. If you recall, at the beginning of Video 1, what if --
13 does -- what, if anything, does Mr. Kelly hand to you?

14 A. Money.

15 Q. What type of money? Bills? Coins?

16 A. Bills.

17 Q. Why?

18 MS. BONJEAN: Objection. If she knows. But
19 objection as to speculation.

20 BY MS. APPENTENG:

21 Q. If you know, why did he hand you money at the beginning of
22 the video?

23 THE COURT: If she knows.

24 BY MS. APPENTENG:

25 Q. If you know.

1 A. Because if anybody saw the tape or if it was released for
2 some reason, he wanted it to appear as if I was like a
3 prostitute.

4 MS. APPENTENG: Your Honor, can we take a break? If
5 not, that's fine.

6 THE COURT: Let's go on. We might as well finish it.

7 MS. APPENTENG: Okay.

8 BY MS. APPENTENG:

9 Q. Jane, were you -- other than these three encounters that
10 we were just talking about, were you recorded -- did Mr. Kelly
11 record you engaging in sexual acts at other times?

12 A. Yes.

13 Q. Do you know a person named Lisa Van Allen?

14 A. Yes.

15 Q. And can you just pull the -- turn that maybe.

16 A. Yes.

17 Q. How do you know her?

18 A. Through Robert.

19 Q. How old were you when you first met Lisa Van Allen?

20 A. 14.

21 Q. Under what circumstances did you meet Ms. Van Allen?

22 A. Sexually.

23 Q. You can take a second.

24 When you say "sexually," what do you mean? Describe
25 the circumstances.

1 A. She would be around like at the studio or at the gym, and
2 it was somebody that he let me know that he was involved with
3 and that he wanted us to all engage in sexual activity
4 together.

5 Q. And when you say "he," you're talking about Robert Kelly?

6 A. Correct.

7 Q. And did you indeed engage in sexual acts together with
8 Lisa Van Allen and Robert Kelly?

9 A. Yes.

10 Q. Where did those sexual encounters take place and how old
11 were you at the time?

12 A. I was 14, and they would take place at the studio, at the
13 George Street house, or maybe sometimes on the bus.

14 Q. Were those -- were some of those interactions recorded?

15 A. Yes.

16 Q. Where were those -- where were those interactions recorded
17 and how old were you at the time?

18 A. At the George Street house, at the studio, wherever we
19 were. And I was 14.

20 Q. Where in the George Street house did the sexual encounters
21 occur with -- and, again, we're talking about with Lisa Van
22 Allen and Mr. Kelly when you were 14 years old.

23 A. In the basement of the log cabin.

24 Q. In that log cabin room; is that what you said?

25 A. Yes.

1 Q. Do you recall a specific instance where there -- where you
2 were engaging in sexual activity with Lisa Van Allen and
3 Robert Kelly in the wood panel -- sorry -- in that log cabin
4 room?

5 A. On the Jacuzzi, in that area, yes.

6 Q. Did that occur -- did that happen on more than one
7 occasion in the log cabin room with Lisa Van Allen and Robert
8 Kelly?

9 A. Yes.

10 Q. And do you -- was there recordings of that that had
11 occurred on more than one occasion? Again, the same room, the
12 same age.

13 A. Yes.

14 Q. What, if anything, do you know about what happened to the
15 recordings that were made at the time that they were made?

16 A. I'm sorry. Can you repeat that?

17 Q. What, if anything, do you know about what happened to the
18 actual, like, cassette recordings? You had -- let me take it
19 back a little bit.

20 You had testified earlier when I said how did you
21 know, how did he set up the camera, and you said that he put a
22 tape in. Is that what you said? And you would see the tape
23 go in, and then you'd start engaging in sex acts.

24 What, if anything, happened, if you know, to those
25 tapes?

1 MS. BONJEAN: I'm going to object to the foundation.

2 There's multiple tapes that have been referenced, so . . .

3 THE COURT: Okay. What are we talking about?

4 BY MS. APPENTENG:

5 Q. When Mr. Kelly recorded you having sexual intercourse, and
6 he would use a tape --

7 MS. BONJEAN: Objection. She actually didn't testify
8 that there was sexual intercourse. That is misstating her
9 testimony.

10 MS. APPENTENG: I can restate the question,
11 Your Honor.

12 THE COURT: I'm not sure what -- what are we talk --
13 which one are we talking about here? Any tape -- all tapes or
14 any tapes or specific tapes?

15 BY MS. APPENTENG:

16 Q. Let's start with the specific tapes with Videos 1, 2, and
17 3 that we talked about.

18 And you were engaging in sex acts, correct, not
19 sexual intercourse, because you were 14 years old, correct?

20 A. Yes.

21 Q. So what -- what happened to those tapes, Videos 1, 2, and
22 3? Like, where would they be kept, if you know?

23 A. They were kept in a gym bag or in the log cabin area of
24 the basement.

25 Q. How do you know that?

1 A. Because I would see where he put them.

2 Q. And what -- what would you see? Describe what you saw.

3 A. There were like -- on the shelves, like where the TV was,
4 there were like several shelves, so they would be like kept
5 behind certain decor in that area, or if we were finishing up,
6 he would put them in his gym bag or I would see him take them.

7 Q. When you say "finishing up," what do you mean?

8 A. After we were done recording.

9 Q. And you said -- and he put them in a gym bag?

10 A. Yes.

11 Q. All right. And to be clear, when you -- you were
12 describing videos on a shelf. Did you know what all of those
13 videos were -- or are?

14 A. I had a pretty good idea.

15 Q. But you didn't know for sure?

16 A. No.

17 Q. You saw a collection of videos; is that right?

18 A. Yes.

19 Q. And the same thing for the gym bag that you just
20 described, what was in the gym bag?

21 A. I'm not exactly sure what was in the bag, but I did see
22 him put tapes in the bag before.

23 Q. And the tapes you're talking about are the tapes that you
24 just said when you finished up, he would put it in a -- in a
25 gym bag?

1 A. Yes.

2 Q. Who else did you see, if anyone, handling that gym bag?

3 A. June.

4 Q. Who?

5 A. June.

6 Q. Is June this individual's nickname or his true name?

7 A. That's the name that I know him by, yes.

8 Q. Do you know him by any other names?

9 A. Yes.

10 Q. What other names?

11 A. Milton.

12 Q. Do you know his last name?

13 A. Brown.

14 Q. Did you ever have any conversations with Mr. Brown about
15 what was in that gym bag?

16 A. No.

17 Q. If you saw Mr. Brown in the courtroom today -- if you saw
18 him today, would you be able to recognize him?

19 A. Yes.

20 MS. APPENTENG: Your Honor, we'd like to ask if
21 everybody in the courtroom --

22 THE COURT: Take your masks off, please.

23 BY MS. APPENTENG:

24 Q. Jane, I'd like you to take a look around the courtroom and
25 if you see Mr. Brown, could you please describe an article of

1 clothing that he's wearing and where he is located in the
2 courtroom.

3 A. He's to the -- he's directly in front of me with a
4 burgundy tie.

5 MS. APPENTENG: Your Honor, can the record reflect
6 that Jane has identified Milton Brown, the defendant?

7 THE COURT: All right. She's identified him. Thank
8 you.

9 BY MS. APPENTENG:

10 Q. So at this point, you -- we were talking about the tapes
11 and those -- sorry, not the tapes -- those Videos 1, 2, and 3
12 that we were discussing, you were 14 years old in those,
13 correct?

14 When you were -- when you were 14, 15, 16 years old,
15 did you tell anyone, other than Pinky or Brittany, about
16 sexual encounters with Robert Kelly?

17 A. No.

18 Q. I'd like to direct your attention to April 2000.

19 Do you recall being interviewed or spoken to by
20 people from the Department of Children and Family Services?

21 A. Yes.

22 Q. What do you recall about the encounter?

23 A. There was an allegation made about the nature of Robert
24 and I -- excuse me -- the nature of Robert and I's
25 relationship, and they wanted to come out and ask questions to

1 investigate if there was anything sexual happening between us.

2 Q. And in 2000 -- April 2000 you were still 15; is that
3 right? You turned 16 in April of -- I'm sorry -- in September
4 of 2000; is that right?

5 A. Yes.

6 Q. Okay. So April 2000 you were 15 years old.

7 What was your response to the questioning from DC --
8 from the Department of Children and Family Services about
9 their allegations?

10 A. I denied it.

11 Q. Why did you deny it?

12 A. I was afraid that something bad would happen to Robert.
13 He really instilled that in me, if anybody found out about the
14 nature of our relationship, that things would be really bad
15 for him, and I wanted to protect him, so I did everything I
16 could to keep that a secret.

17 Q. So you were -- just to be clear, you were untruthful with
18 the Department of Children and Family Services; is that right?

19 A. Yes.

20 Q. And you testified that you wanted to protect him?

21 A. Yes.

22 Q. Why did you want to protect him?

23 A. Well, again, I did look up to him. I didn't want to see
24 anything bad happen to him, and at this point with the way
25 things were happening between us, I was also afraid.

1 Q. Afraid of what?

2 A. I didn't want to upset him, I didn't want to trigger
3 anything, and I didn't want to expose what was happening
4 between us.

5 Q. Did you want to keep your relationship intact?

6 A. I did.

7 Q. Now, at this time -- again, this is April of 2000, you
8 were 15 years old -- did you tell your parents about what was
9 happening between you and Robert Kelly?

10 A. No.

11 Q. Why?

12 A. Because that was something that I would take to my grave.
13 I was not going to reveal that to anybody after many
14 conversations of him drilling how important it was that he
15 would be in big trouble if anybody found out about this, so I
16 looked at it as I was protecting him.

17 Q. Did you feel comfortable telling your parents that you
18 were engaging in sexual activity with Robert Kelly at that
19 time? Again, this is April 2000.

20 A. No.

21 Q. Why?

22 A. Because I knew it was something they wouldn't approve of.

23 Q. Now, after that, you were approached and questioned by
24 Department of Children and Family Services. You were later
25 questioned by Chicago Police Department officers; is that

1 correct?

2 A. Yes.

3 Q. And what -- what were they asking you about? What were
4 they questioning you about?

5 A. Robert and I's relationship, have we had any sexual
6 contact with each other.

7 Q. What was your response to that questioning?

8 A. No.

9 Q. Why did you respond that way?

10 A. Because, again, I just -- it was embedded in me that this
11 could never come out, and I didn't want my parents to find
12 out, either, so I was doing everything I could to keep it a
13 secret.

14 Q. Did you tell Mr. Kelly about CPD questioning you?

15 A. Yes.

16 Q. What was his response?

17 A. He was just asking what type of questions they were
18 asking, asking me how did I answer the questions, and he was
19 telling me that I did a good job and that I handled everything
20 correctly.

21 Q. Again -- so now we're talking about the time of when CPD
22 was questioning you, so this was sometime after you had turned
23 15.

24 How did you feel about Mr. Kelly at this time?

25 A. Can you repeat the question for me one more time.

1 Q. Around the time of the CPD questioning --

2 A. Mm-hmm.

3 Q. -- how did you feel about Robert Kelly at that time?

4 A. I cared for him. Emotionally, I cared for him.

5 Q. So around this time -- again, I'll direct your attention
6 to some other allegations that -- that you learned about.

7 So I'm directing your attention to late 2001, early
8 2002, and how old were you during that time.

9 So in 2001, how old did you turn?

10 A. I was about 16.

11 Q. So we just talked about -- in 2000, you turned 16. So in
12 2001, you would have turned 17 years old?

13 A. Yes.

14 Q. Okay. And so late 2001, early 2002, during that time
15 frame when you were 17 years old, what, if anything, did you
16 learn about -- from -- what, if anything, did you learn about
17 additional allegations from Stephanie, your aunt?

18 A. That there was a sex tape leaked that was including Robert
19 and I.

20 Q. That was including who?

21 A. Robert and I.

22 Q. So at this time, again, late 2001, early 2002, did you see
23 this recording? Did you know what it was?

24 A. I heard things about it, but I never saw it.

25 Q. What, if anything, did you learn about this tape from

1 Stephanie?

2 A. That it had been made public and that there was sexual
3 engagement between Robert and I on the tape, and that was
4 pretty much it.

5 Q. So at this point did you discuss this with any of your
6 family members?

7 A. No.

8 Q. Did you discuss this -- the existence -- or that there was
9 rumors or that there was a tape that had been surfaced that
10 showed you engaging in sex acts with Robert Kelly? Did you --
11 at that moment, did you talk to any of your family members
12 about it?

13 A. No.

14 Q. Did your parents question you about it?

15 A. Yes.

16 Q. And what, if anything, did they say?

17 A. They were asking me is this true, they were asking me what
18 was -- about the nature of Robert and I's relationship, and I
19 denied everything.

20 Q. I'm sorry. I didn't hear the last part.

21 A. They were asking me if the tape did include us, and they
22 were inquiring about the nature of Robert and I's
23 relationship, and of course I denied everything.

24 Q. Why do you say "of course I denied everything," the "of
25 course"?

1 A. Because it was instilled in me not to admit that to
2 anybody, and that's exactly what I did.

3 Q. Instilled by whom?

4 A. Robert.

5 Q. So what was your reaction to hearing this news or rumors
6 that this videotape had surfaced that possibly showed you and
7 Mr. Kelly engaged in sex acts?

8 A. I was extremely scared.

9 Q. Why were you scared?

10 A. Of the possibility that it was true. I was scared that my
11 parents were going to find out and -- about our relationship,
12 and I was also afraid of what would happen to him.

13 Q. Did you talk to Mr. Kelly about it?

14 A. Yes.

15 Q. What were your conversations?

16 A. He was just continuing to stress how important it was that
17 I kept this information a secret about our relationship and
18 that I had to be very firm and confident when speaking to
19 people about it and to continue to deny.

20 Q. What was his reaction to the news that there may be a tape
21 that others had that showed you and Mr. Kelly engaging in sex
22 acts?

23 A. He seemed afraid as well.

24 Q. I'm sorry?

25 A. He seemed afraid or concerned as well.

1 Q. So early 2002, did you have a conversation in person with
2 Mr. Kelly about these allegations that there was a sex -- that
3 there was a tape out there showing the two of you engaged in
4 sex acts?

5 A. Yes.

6 Q. Who was involved in that meeting?

7 A. It was my mom, my dad, and Robert and myself.

8 Q. And who set up this meeting, if you know?

9 A. Derrel.

10 MR. BRINDLEY: Objection for foundation, Judge.

11 MS. APPENTENG: I can ask her.

12 BY MS. APPENTENG:

13 Q. How do you know that Mr. McDavid set up this meeting?

14 A. Through conversation that Robert and I had prior to this
15 and just knowing that he was involved in the game plan that
16 was about to take place as far as the approach.

17 Q. Okay. And we'll talk a little bit more about that.

18 So where did this meeting take place?

19 A. It was at a hotel in Oak Park.

20 Q. Okay. And I believe you had said the person that set it
21 up you believe was Derrel.

22 Did you say that?

23 A. Yes.

24 Q. And do you know what his last name is?

25 A. McDavid.

1 Q. If you were to see Derrel McDavid today, would you be able
2 to identify him?

3 A. Yes.

4 MS. APPENTENG: Your Honor, I'd ask if you could ask
5 the courtroom to remove their masks.

6 MR. BRINDLEY: Judge, we'll stipulate --

7 THE COURT: All right. It's stipulated that she
8 identifies Mr. McDavid.

9 BY MS. APPENTENG:

10 Q. So prior to this meeting in Oak Park that you're talking
11 about, how did you feel about -- like, what was your feelings
12 going into this meeting?

13 A. I was extremely scared.

14 Q. Why were you scared?

15 A. Because my parents were going to finally find out that I
16 had been engaging in sexual activity with Robert.

17 Q. Why did you have the impression that your parents were
18 going to find out at this meeting?

19 A. Because prior -- in a prior conversation that Robert and I
20 had, he finally admitted to me that it was true, that there
21 was a tape leaked between us, and it was about to become
22 legal, so he needed to let my parents know to get them on
23 board with further approaches.

24 Q. Okay. So let's back up.

25 So you said -- he said that that was about to become

1 legal. Is that what you said?

2 A. Yes.

3 Q. What did you understand that to mean?

4 A. Well, I knew that they were planning on turning the tape
5 over to the authorities.

6 Q. Who was?

7 A. Stephanie or whomever had the possession of the tape.

8 Q. Okay. So then when you said things were going to get
9 legal, what does -- what does that mean to you?

10 A. He just basically explained to me that things were about
11 to go to the next level as far as authorities becoming
12 involved, so I needed to let my parents know that we did have
13 a sexual relationship because they were going to find out
14 confirmed through the authorities.

15 Q. You had said that he finally let me know that the tape had
16 been leaked. What are you talking about, "he finally let me
17 know"?

18 A. When it was originally presented to me, it was as if it
19 was speculation, they weren't sure if the tape was leaked or
20 not. So he was presenting it to me through conversation that
21 it was a possibility but not for certain.

22 Q. Okay. So then when you say he confirmed, what did
23 he . . .

24 A. That basically they weren't able to retrieve the tape back
25 so that it was going to become very public and it was going to

1 be turned over to a legal team.

2 Q. And then you also said -- you said that this was about to
3 become a situation that your parents needed to know about now?

4 A. Yes.

5 Q. Okay. And why would your parents need to know now
6 about -- about the sexual relationship that you two were
7 having?

8 A. He wanted to let them know that it was true, and it was
9 also an effort to get them to be --

10 MS. BONJEAN: Objection to her speculating as to
11 Mr. Kelly's state of mind. If she has firsthand knowledge --

12 THE COURT: She could say what he said, but not what
13 she thinks he thought. So I'll sustain the objection.

14 You can reframe the question.

15 BY MS. APPENTENG:

16 Q. What did he say about why your parents needed to become
17 involved?

18 A. Because he wanted them on his team as far as handling the
19 legal aspects of what was about to take place.

20 Q. Okay. So we were talking about this --

21 MS. APPENTENG: Should we take a break?

22 THE COURT: In about 15 minutes we'll do it.

23 MS. APPENTENG: Okay.

24 THE COURT: Half past.

25 MS. APPENTENG: Okay, Your Honor.

1 BY MS. APPENTENG:

2 Q. So we were talking about this in the lead-up to this
3 meeting that you were talking about that occurred in Oak Park.

4 So who attended this meeting?

5 A. It was me, my mom, my dad, and Robert.

6 Q. Okay. And, again, we had talked about it a little bit
7 earlier. So to reorient ourselves, we were talking about
8 early 2002; is that correct? That's when this meeting
9 occurred?

10 A. Yes.

11 Q. You had mentioned that Mr. McDavid had set it up, but was
12 Mr. McDavid there present at the meeting?

13 A. I can't remember if he was there or not.

14 Q. You don't know one way or the other whether he was there?

15 A. No.

16 Q. What happened when you -- when you and your -- did you
17 arrive at the meeting with your parents?

18 A. Yes.

19 Q. What happened when you arrived with your parents?

20 A. My dad and Robert stepped away in a room, like in a -- we
21 were kind of -- my mom and I were kind of waiting on one side
22 and they were talking in another room. And I just remember my
23 dad storming out and being upset. And he told my mom that it
24 was true, that there was a videotape of Robert and I, and he
25 was crying and he was upset. And we got on the elevator, and

1 Robert was begging for his forgiveness and pleading to --
2 don't turn on him and all of that. And my dad -- I remember
3 his words very clearly saying --

4 MS. BONJEAN: I'm going to object to hearsay as to
5 his -- what the father said, but --

6 THE COURT: This is not hearsay. It's a statement of
7 fact what she heard. Overruled.

8 BY MS. APPENTENG:

9 Q. Go ahead.

10 A. He just was saying, "I can't help you. I can't help you."
11 And we got our belongings and we left.

12 Q. So let's back up a little bit. So what happened first was
13 your father and Mr. Kelly were off having a conversation by
14 themselves; is that correct?

15 A. Yes.

16 Q. Do you know exactly what was said during that conversation
17 between the two of them?

18 A. No.

19 Q. When they joined -- came back and joined you and your
20 mother, was your -- how was your father's emotional state at
21 that moment?

22 A. It was hysterical.

23 Q. What did you observe about Robert Kelly at that moment?
24 What was he doing?

25 A. He was crying. He was sincere. I remember him dropping

1 to his knees and grabbing his head and apologizing profusely
2 and just asking for my dad's forgiveness.

3 Q. What were you and your mother doing at this point?

4 A. We were crying. We were emotional.

5 Q. Why were -- why were you crying and emotional?

6 A. Because I was embarrassed for lying to my parents. They
7 finally understood everything was true, and it was just my
8 first admittance to them as far as what was happening. And I
9 was also afraid and fearful for what was going to happen to
10 Robert.

11 Q. What, if anything, did you communicate about your feelings
12 for Robert in that meeting?

13 A. I was very emotional, and I was telling them how much I
14 care for him and how much I loved him and how much he loved
15 me. And I was on his side as far as begging for their
16 forgiveness and just pleading for them not to turn on him or
17 go against him.

18 Q. You said then you all got to the elevator. Who -- who was
19 making their way to the elevator?

20 A. Me, my dad, and my mom.

21 Q. Did Mr. -- was Mr. Kelly with you all when you were
22 leaving?

23 A. Yes, he was walking out because he was still trying to
24 have a conversation with my dad.

25 Q. What was he saying?

1 A. He was just pleading for his forgiveness and just asking
2 him not to turn on him.

3 Q. Was there a response at that time from your mom or dad
4 about not turning on him?

5 A. My dad, he was saying, "I can't help you."

6 Q. And after -- after you got in the meeting -- excuse me --
7 after you got to the elevator, did -- is that when you and
8 your parents left?

9 A. Yes.

10 Q. And did you have -- so in the -- in the days after the
11 meeting, what conversations, if any, did you have with
12 Mr. Kelly about what happened in the meeting?

13 A. We were just talking about -- it was just like gauging,
14 like -- excuse me -- how my parents were like responding to me
15 at home, has any other topics of conversation come up with --
16 about the tape or just really gauging what took place at that
17 time and what was the environment like out -- after that.

18 Q. So to get this straight, he was asking you questions about
19 what was happening on -- in the environment at your home. Is
20 that what you're saying?

21 A. Yes.

22 Q. What kind of questions?

23 A. He would ask like how my parents were feeling, could I get
24 a feel for, you know, their mentalities towards this situation
25 and what did I think they were going to do and just

1 reinforcing how important it was to -- now that we have
2 admitted it to them, to not admit it to anyone else.

3 Q. What, if anything, did he say about what you all had
4 talked about before the meeting, which was letting your
5 parents know in an effort to get them on his side?

6 MS. BONJEAN: Object to the foundation of the
7 question. And the U.S. Attorney keeps going back, like ask a
8 question, get an answer and then just continue to go back.
9 It's cumulative. It's been asked and answered.

10 THE COURT: Let me read the question.

11 I think he -- I think she answered that before. I
12 think it's correct. So I'll sustain the objection.

13 BY MS. APPENTENG:

14 Q. So at some point -- so after -- shortly after this
15 meeting -- or in the weeks that followed the meeting, did you
16 leave the country for a trip?

17 A. Yes.

18 Q. Why did you -- why did you leave the country?

19 A. Because there was a lot of negative attention happening
20 around the videotape, and Robert wanted us to leave the
21 country to pretty much clear our heads, figure out what the
22 approaches were going to be moving forward and just to not
23 have any attention on us or for us to be available or just
24 around or like accessible.

25 Q. Available or accessible for what?

1 A. Like the authorities or just press, things of that nature.

2 Q. Where did you go?

3 A. To the Bahamas and Cancun, Mexico.

4 Q. Who went with you?

5 A. My mom and my dad.

6 Q. How long was the trip, if you recall?

7 A. From what I remember, I want to say maybe two weeks.

8 Q. So -- and so just to put a bookmark between the time, so
9 between the meeting and before you went on the trip, how were
10 you interacting with your parents at that time?

11 A. I was really shut down, really standoffish. I was told to
12 make them feel uncomfortable so that they would not turn
13 against him, and that's exactly what I did.

14 Q. You said you were told to make them feel uncomfortable.

15 By whom?

16 A. Robert.

17 Q. What types of things were you doing to -- to create
18 distance between you and your family -- your parents, I should
19 say, your parents?

20 A. I was not talking to them.

21 Q. What else?

22 A. I would sleep in my closet, just like totally shut down
23 from the world.

24 Q. So when you went on the trip, how were you interacting
25 with your parents?

1 A. Things started to pick up a little bit better. We started
2 communicating a little bit more. They were trying to just
3 understand what was happening with me. So it got a little bit
4 better.

5 Q. Overall, how was the trip, like was it a fun vacation? Or
6 how was the time spent?

7 A. It was not a fun vacation. It was not considered to be a
8 vacation. It was literally us trying to understand all of the
9 positions that we were in.

10 Q. And what do you mean by all of the positions that you were
11 in?

12 A. Well, I lied to my parents and I was keeping that -- the
13 nature of my relationship with Robert a secret, so they had to
14 digest all of that and they had questions for me. So it
15 was -- it was really uncomfortable.

16 Q. Were you in touch with Mr. Kelly during this trip?

17 A. Yes.

18 Q. How were you communicating?

19 A. By phone.

20 Q. What were the -- what was the nature of the conversations
21 during the trip?

22 A. Everything was pretty much revolved around how we were
23 going to handle the videotape.

24 Q. And what do you mean "how we were going to handle the
25 videotape"?

1 A. Again, it was just him reinforcing how much this should be
2 kept a secret, how I need to deny all of these allegations and
3 not have certain conversations with certain people, don't talk
4 over the phone, don't communicate with this person, it's about
5 trust. It was just the nature of how to handle myself in this
6 situation.

7 Q. Did you discuss your parents?

8 A. Yes.

9 Q. What did you discuss about your parents?

10 A. I just let him know that I was following his instructions
11 on how I should handle them and I was trying to gauge where
12 their mentalities were as far as what they wanted to do or not
13 to do. So in a sense, in all honesty, I was kind of working
14 on them to be in his favor.

15 Q. When you say "working on them to be in his favor," what
16 does that mean? Can you explain a little bit more.

17 A. Just begging them, pleading with them how much I love him,
18 how much he loves me and to please don't turn on him. I don't
19 want his career to be ruined. I don't want this secret about
20 me to be true, either. So it was just me really trying to get
21 them to not turn on him, as it was referenced.

22 THE COURT: Is this a good time to break now?

23 MS. APPENTENG: Sure. Thanks, Your Honor.

24 THE COURT: We'll take a 15-minute recess until a
25 quarter to 4:00.

1 THE COURT SECURITY OFFICER: All rise.

2 (Jury out.)

3 (Change of court reporters.)

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3 THE COURT: How much longer on direct?

4 MS. APPENTENG: At least half an hour.

5 THE COURT: Half-hour?

6 MS. APPENTENG: At least.

7 THE COURT: Okay.

8 || (Jury in at 3:45 p.m.)

9 THE COURT: Please be seated.

10 Ms. Appenteng, you may continue your direct
11 examination.

12 MS. APPENTENG: Thank you, your Honor.

13 BY MS. APPENTENG:

14 Q. Good afternoon, Jane.

15 A. Good afternoon.

16 Q. Before we move on to our next topics, I wanted to circle
17 back to the Videos 1 and 2.

18 I did not ask you these questions, and they are: How
19 did you know that the Video 2, which is a living room scene
20 that you described earlier, how did you know that it was being
21 filmed?

22 A. Because I saw the camcorder.

23 Q. Where was it in terms of inside the room, outside the
24 room?

25 A. It was inside of the room.

1 Q. And as to Video 1, which was the log cabin scene, how did
2 you know that that was being filmed?

3 A. Because it was also in the room.

4 Q. What was in the room?

5 A. The camcorder.

6 Q. Okay. Let's move on to -- we were talking about the trip
7 that you were on with your parents. You were talking about
8 that you were in touch with Mr. Kelly during the trip.

9 Did you and your parents come to any agreements or
10 conclusions about how you would go forward with regard to
11 disclosing to anyone your sexual relationship with Robert
12 Kelly?

13 A. Yes.

14 Q. What was the conclusion or agreement that you and your
15 parents came to?

16 A. They were going to do as I asked and basically stay on his
17 side as far as how they were going to handle the situation
18 legally.

19 Q. What does that mean, "stay on his side"?

20 A. At the time, they had to quit their jobs. They weren't
21 working. They couldn't afford lawyers. So they also didn't
22 want to lose me within the equation. So they agreed to be on
23 his side as far as denying the fact that I was on the
24 videotape.

25 Q. I have some follow-up questions regarding that.

1 So you said that at that time your parents had lost
2 their jobs.

3 When was it that they lost their jobs?

4 A. After the videotape was made public.

5 Q. To try to bring it down to a little -- a smaller time
6 frame, was that before or after the trip that you all went on?

7 A. Before.

8 Q. I want to talk about one other thing that occurred on the
9 trip.

10 While you were in Mexico, did you --

11 MS. BONJEAN: Objection. Are we in the Bahamas, or
12 are we in Mexico?

13 BY MS. APPENTENG:

14 Q. While you were in Mexico, did you get tattoos?

15 A. Yes.

16 Q. What were those tattoos?

17 A. One was on my lower back. It was a butterfly with a vine
18 around it, and the other one was a heart with, like, some
19 fiery signs with Robert's name in the middle of the heart.

20 Q. Did your parents know about this?

21 A. No.

22 Q. At the trip -- while you were on the trip, did they know
23 this happened?

24 A. No.

25 Q. Why didn't you tell them?

1 A. Because everything was still really sketchy with them
2 finding out about the relationship that we were in, and I
3 wanted to keep that a secret. It wasn't to tell anyone. It
4 was just something I wanted to do.

5 Q. Why did you get those tattoos?

6 A. Because I loved him and I cared for him, and I wanted to
7 show and express that I was loyal to him.

8 Q. Who else knew about these tattoos?

9 A. At the time, just Robert and I.

10 Q. So when did he know about the tattoo?

11 A. It was shortly after I came back from the trip.

12 Q. When after you came back after the trip? Are we talking
13 weeks or months?

14 A. I would say, like, a month after.

15 Q. How did you tell him or show him?

16 A. I was a little afraid to share it with him because I knew
17 that everything was already drawn a lot of attention to. So I
18 kind of just acted as if I was surprising him, and I let him
19 know that I got a tattoo with his name on it on my body.

20 Q. Did you show it to him?

21 A. Yes.

22 Q. What was his reaction?

23 A. He acted like, you know, he was -- like he liked it, but
24 he was, like, "That's a problem. You can't have a tattoo like
25 that with everything that we have going on as far as the

1 videotape.

2 Q. What, if anything, was done to make sure that no one else
3 would find out about this tattoo?

4 A. He told me that I had to -- he told me that I had to get
5 it covered up.

6 Q. Who told you you had to get it covered up?

7 A. Robert.

8 Q. And did you get it covered up?

9 A. Yes.

10 Q. How?

11 A. Milton took me to a tattoo artist's house, and that's when
12 I got it covered up.

13 Q. How did -- you said Milton took you?

14 A. Yes.

15 Q. Milton Brown?

16 A. Yes.

17 Q. How did he get involved?

18 A. I'm not exactly sure. I would assume that he and Robert
19 had a conversation about the tattoo.

20 MS. BONJEAN: Objection to her assumptions, but --

21 THE COURT: All right. Objection sustained.

22 BY MS. APPENTENG:

23 Q. How is it that you -- how is it that you got in a car --
24 did you get in a car with Milton Brown to take you to the
25 house to --

1 A. Yes.

2 Q. -- get this tattoo removed or covered?

3 A. He --

4 Q. I was going to ask a question.

5 How is it that you got into a car with Milton Brown
6 to go to get this done to your tattoo?

7 A. Robert let me know that June Brown was coming to pick me
8 up to take me to get the tattoo covered up.

9 Q. Did you have any conversations with Mr. Brown prior to
10 getting in the car about the tattoo?

11 A. No.

12 Q. Did you have any conversations with Mr. Brown on the way
13 to the house to get the tattoo covered with Mr. Brown?

14 A. No.

15 Q. When you got to this house, was it a -- even though it was
16 a house, was it a professional, like, tattoo shop?

17 A. It was set up as a tattoo shop, yes.

18 Q. And who -- do you know the people that were in -- did you
19 ever -- had you ever met those people inside that ultimately
20 would be working on the tattoo?

21 A. No.

22 Q. How did you know where to go and what to do when you got
23 there?

24 A. Because Milton Brown let me know what I needed to do when
25 we got to the house.

1 Q. And what is it that you needed to do when you got to the
2 house?

3 A. To go inside. He was expecting that he had to do a
4 coverup, and to not have much conversation, and that was it.

5 Q. Sorry. So who were you talking to on the inside of the
6 house?

7 A. The tattoo artist.

8 Q. Did you speak to the tattoo artist, or did Milton Brown
9 come in and speak to the tattoo artist?

10 A. He did go inside with me, but I was communicating with the
11 tattoo artist.

12 Q. About how long did the procedure take?

13 A. Maybe about 20 minutes, 30 minutes.

14 Q. Was Mr. Brown there with you the entire time?

15 A. Yes.

16 Q. Did the two of you leave the -- "two of you" meaning you
17 and Mr. Brown -- leave the house together?

18 A. Yes.

19 Q. And where did he take you, if you recall?

20 A. I believe back to the studio.

21 Q. And on the way back, did you talk about the tattoo or what
22 had happened while you were in the tattoo -- while you were
23 getting something done to the tattoo?

24 A. No.

25 Q. What exactly did they do to the tattoo, the tattoo artist?

1 A. He shaded the inside of the heart in with, like, a design
2 over the name.

3 Q. And is that shaded design still -- do you still have that
4 on your body today?

5 A. Yes.

6 Q. Has it -- have you changed the tattoo again in any way?

7 A. No.

8 Q. Who paid for that procedure?

9 A. I believe Robert.

10 MS. BONJEAN: Objection to her belief of who paid.
11 Either she knows or she doesn't.

12 A. Robert.

13 MS. APPENTENG: I could ask a series of questions.

14 THE COURT: Overruled. I will let it stand.

15 BY MS. APPENTENG:

16 Q. How do you know Robert paid for it?

17 A. Because he was the one who had me get it covered up.

18 Q. That happened, as you mentioned, on the heels of you
19 coming back from this trip to Mexico and Cancun with your
20 parents, correct?

21 A. Yes.

22 Q. So when you all came back from the trip, did things change
23 in terms of your interactions with your parents? Did things
24 change with respect to the interactions with your parents?

25 A. Yes.

1 Q. How did it change?

2 A. They were kind of wavering as far as how they wanted to --
3 as to whether or not they wanted to protect Robert in the
4 situation.

5 So again, I became really different with them, not
6 talking to them, distancing myself and just -- I became out of
7 character so they could feel uncomfortable about feeling like
8 they wanted to go against him.

9 Q. How were you making them feel uncomfortable?

10 A. I was suicidal. I stopped eating. It was just a series
11 of things that was taking place within the family that were
12 affecting me. They were under a lot of pressure. But I was
13 so focused on protecting him that I was willing to do anything
14 to have them not go against him in any way.

15 Q. Were your parents still -- you had mentioned they were out
16 of work.

17 Were they still out of work at this time -- again,
18 this time period when you came back from the trip?

19 A. Yes.

20 Q. How was your relationship with Mr. Kelly when you returned
21 from the trip?

22 A. It was okay. He was just -- at this point we were
23 sneaking contact with each other because we were not trying to
24 include everybody in our business, sort of speak, as far as
25 knowing our approaches with how we were going to handle the

1 videotape situation. So we got closer.

2 Q. When you say "closer," what do you mean?

3 A. Just on a bonding side. Everything that he was saying, it
4 kind of made sense to me. I wanted to protect him. I loved
5 his children. He was very successful in his career. I didn't
6 want anything to happen to him. And I did love and care about
7 him.

8 Q. Did you all think that you -- did you think that you had a
9 future with him at this point? This is right after you get
10 back from the trip.

11 A. Yes.

12 Q. What kind of a future did you think you had with him?

13 A. Marriage.

14 Q. Now, he was still married at the time; is that right?

15 A. Yes.

16 Q. How did his current marriage play into the plans that you
17 had for the two of you to get married?

18 A. He would have conversation with me expressing to me how
19 much he loved me and how much he was in love with me and that
20 he was trying to figure out how to leave that situation to
21 make me his wife.

22 Q. By "that situation," you mean leave his current wife; is
23 that right?

24 A. Yes.

25 Q. So when you came back from the trip, this was early in

1 2002, correct?

2 A. Yes.

3 Q. In early 2002 or in those months -- early months of 2002,
4 what, if anything, was happening -- strike that.

5 Did you receive a subpoena to testify before the
6 grand jury?

7 A. Yes.

8 Q. And it was a grand jury with Cook County, from the State;
9 is that correct?

10 A. Yes.

11 Q. Who else in your family, if anyone, received grand jury
12 subpoenas to testify in a State grand jury?

13 A. I believe my father.

14 Q. In 2002, did you indeed testify in the grand jury?

15 A. Yes.

16 Q. And before you went into the grand jury, did you talk to
17 Mr. Kelly?

18 A. Yes.

19 Q. Again, when I say go in, I mean before you testified.

20 A. Yes.

21 Q. What was the nature of that conversation?

22 A. It was just about my loyalty to him; how to handle myself
23 during the meeting as far as being confident; how I should
24 answer questions, just about, like, my delivery with just
25 answering questions; and just reiterating how strong and stern

1 I needed to be as far as denying our relationship and the sex
2 tape.

3 Q. So then, what was your understanding of why you were being
4 subpoenaed to even testify in the State grand jury?

5 A. Because I was involved in child pornography.

6 Q. That was your understanding of what the type of questions
7 they would be asking you?

8 A. Yes.

9 Q. So did you follow Mr. Kelly's instructions when you went
10 into the grand jury?

11 A. Yes.

12 Q. When you went to testify in the grand jury, did you -- was
13 a lawyer present with you?

14 A. Yes.

15 Q. Was that your lawyer?

16 A. It was a lawyer that he got for me, yes.

17 Q. Who's "he"?

18 A. Robert.

19 Q. How do you know that he got a lawyer for you?

20 A. Because he let me know that I would have somebody
21 representing me, to never speak to any authorities without my
22 lawyer being present, and that was pretty much it.

23 Q. Did you have an opportunity to meet with that person
24 beforehand, before you testified?

25 A. Yes.

1 Q. Do you recall what that person's name is?

2 A. I do not.

3 Q. What were the conversations with that -- generally, what
4 were the conversations with that attorney?

5 A. Just questions about what they would be asking me about my
6 cross necklace that I was wearing and just how to answer
7 questions and how to handle myself.

8 Q. When you say cross necklace that you were wearing, why was
9 that an issue? Why did that come up?

10 A. Because the cross that they were going to be questioning
11 me about was a cross that I had on my passport picture that
12 was also -- that I was also wearing in the videotape.

13 Q. Okay. So the cross -- just let me back up a little bit.

14 So the videotape, what videotape are you talking
15 about?

16 A. The one that took place in the basement in the log cabin.

17 Q. So you are talking about the video scene -- sorry.

18 You are talking about a sexual encounter that
19 occurred in 1010 West George in the basement of Mr. Kelly's
20 home; is that right?

21 A. Yes.

22 Q. What was your understanding about how the cross played
23 into that at all?

24 A. It was considered evidence, and it needed to be gotten rid
25 of. So I was instructed to bring in the cross as well as my

1 passport that showed me wearing the necklace that I was
2 wearing in the videotape.

3 Q. So just to be clear, did that happen at this time before
4 you were going into the grand jury or at another time?

5 A. It happened at another time, but it was all related to the
6 lead-up of me going in to speak with them. So that was my
7 conversation with that lawyer.

8 MS. BONJEAN: Objection. Foundation is lacking
9 there, but --

10 THE COURT: "Another time." I'm not sure. This is
11 right before she went into the grand jury.

12 MS. BONJEAN: But then the U.S. Attorney said, or was
13 that another time? So she just led her with some alternative
14 time, and then the witness agreed to it. So now we have no
15 foundation.

16 MS. APPENTENG: Your Honor, we can talk later about
17 the next time that she was --

18 THE COURT: All right. Let's go on.

19 MS. APPENTENG: -- the cross.

20 Thank you.

21 BY MS. APPENTENG:

22 Q. So before you went into the grand jury, you were saying
23 you were having these conversations about the cross.

24 You recall the recording that was on -- you recall
25 that encounter, that sexual encounter with Mr. Kelly in the

1 basement of his home when you were 14 years old that is
2 depicted on Video 1; is that correct?

3 A. Yes.

4 Q. And what, if anything, piece of jewelry, that you were --
5 were you wearing in that video?

6 A. The silver cross.

7 Q. And was it a silver cross -- we had talked early in your
8 testimony about silver crosses, one that Mr. Kelly bought for
9 you and one that your parents bought for you?

10 A. Yes.

11 Q. What cross were you wearing in Video 1?

12 A. The one that my parents bought for me.

13 Q. So prior to your testimony in the grand jury, as you are
14 walking into the room, do you recall being sworn in to tell
15 the truth?

16 A. Yes.

17 Q. They put you under oath similar to like what they did
18 here?

19 A. Yes.

20 Q. And when you went into the grand jury, were you truthful
21 about your sexual relationship with Robert Kelly?

22 A. No.

23 Q. Do you recall the things that you were not truthful about?

24 A. Yes.

25 Q. What did you tell them that was not true?

1 A. That I was not involved with him sexually and that we had
2 never made any videotapes.

3 Q. When you were in that grand jury back in 2002, were you --
4 did the people that were presenting materials in that grand
5 jury, did they show you photos or pictures?

6 A. Yes.

7 Q. Were you actually depicted in those photos or pictures?

8 A. Can you rephrase the question for me.

9 Q. Were you depicted in those photos?

10 A. Yes.

11 Q. And what were those photos of, if you can remember?

12 A. Me with a certain hairstyle making certain poses or
13 gestures that I was doing during the videotape.

14 Q. Were they -- you are saying that they were from the
15 videotape?

16 A. Yes.

17 Q. And you looked at those images in the grand jury?

18 A. Yes.

19 Q. And you were depicted in them?

20 A. Yes.

21 Q. And did you say it was you?

22 A. No.

23 Q. So you were -- you were untruthful?

24 A. Correct.

25 Q. And why were you untruthful?

1 A. Because I was afraid to expose Robert, because I was
2 afraid of what might happen to my parents. I also did not
3 want that person to be me.

4 Q. When you say you didn't "want that person to be me," what
5 do you mean?

6 A. I was ashamed.

7 Q. Were you uncomfortable with being untruthful?

8 A. Yes.

9 Q. As part of this investigation -- as part of this case that
10 led to the charges today, you received immunity from the
11 government; is that correct?

12 A. Yes.

13 Q. What does that mean, that you have immunity?

14 A. That if I correct my mistake by telling the truth, that I
15 won't be prosecuted.

16 Q. That you won't be prosecuted for what?

17 A. For lying under oath.

18 Q. Does your immunity also extend to all of the things that
19 you have said to the investigators in this case?

20 A. Yes.

21 Q. What is your understanding of what you need to do, your
22 responsibility in order for the government to uphold its end
23 of the bargain?

24 A. Tell the truth.

25 Q. Tell the truth when?

1 A. Now. Here, right now.

2 Q. And did you also need to tell the truth when you were
3 meeting with the investigators?

4 A. Yes.

5 Q. And if the government determined that you were being
6 untruthful -- if you were found to be untruthful, what would
7 happen?

8 A. I could potentially be prosecuted for lying under oath.

9 Q. And would the government be able to use statements that
10 you have made against you in further cases? Is that right?

11 A. Yes.

12 Q. Now, after the State grand jury in 2002, did you learn
13 that Mr. Kelly was indeed charged by the State?

14 A. Can you repeat that.

15 Q. After the grand jury -- when you went into the grand jury
16 in 2002, did you learn that Mr. Kelly was charged with
17 criminal --

18 A. Yes.

19 Q. -- criminal charges by the State?

20 A. Yes.

21 Q. What was your understanding of what those charges were
22 related to?

23 A. The videotape that we made, which was considered child
24 pornography.

25 Q. And the videotape, which videotape? Which video are you

1 talking about?

2 A. The basement log cabin scene.

3 Q. Shortly after he was charged in 2002, what, if anything,
4 did Mr. Kelly ask you to sign?

5 A. A confidentiality agreement.

6 Q. What was contained in this confidentiality agreement?

7 A. To be completely truthful, I'm not exactly sure because I
8 didn't read it, but he explained to me that it was just for
9 his protection to make sure that I didn't go off and tell the
10 truth or change my story as far as what things took place with
11 our sexual relationship. So if I wanted to show him my
12 loyalty, I needed to sign that agreement.

13 Q. So in the weeks and months after the charges and leading
14 up into preparation for Mr. Kelly's trial in 2000 -- the trial
15 was in 2008. Prior to that, after the grand jury -- so we are
16 talking about between 2002, 2008.

17 In preparation for the trial, did you meet with
18 Mr. Kelly's lawyers that he was working with for those
19 charges?

20 A. Yes.

21 Q. And early in your testimony, you had mentioned that you
22 had a meeting with lawyers about a cross?

23 A. Yes.

24 Q. Can you explain to us why you brought up that cross and in
25 relation to this meeting.

1 What was that -- sorry.

2 In relation to these meetings with the lawyers, what
3 was that about?

4 A. That cross was a big part of evidence. So they were
5 really adamant about me giving the cross over to them so they
6 could get rid of it, as well as giving them my passport. They
7 were just asking me different questions about where did I buy
8 it from, what was it made out of it, and that they needed my
9 passport with the picture on it so that it was no longer
10 evidence.

11 Q. Okay. So in this -- did this conversation that you are
12 talking about, did it happen in one meeting?

13 Is it your recollection that it happened in one
14 meeting, or was this multiple conversations?

15 A. It was multiple conversations.

16 Q. Who would be present when you were meeting with the
17 lawyers talking about this necklace -- this cross necklace?

18 A. It was, like, Derrel McDavid and Robert.

19 Q. So when lawyers were talking about you having to turn in
20 the cross, why would you have to turn in the cross?

21 Why was it evidence, from your understanding of these
22 conversations?

23 A. Because it was the cross I was wearing in the videotape.

24 Q. So did you indeed turn over the cross to someone?

25 A. Yes.

1 Q. Who?

2 A. To the lawyers.

3 Q. Do you know specifically what lawyers?

4 A. I don't remember.

5 Q. What else, if anything, did you turn over to the lawyers?

6 A. My passport.

7 Q. I'm showing you what's been previously marked as
8 Government's Exhibit 115.

9 Do you see that on the screen there?

10 A. Yes.

11 Q. What's depicted in Government's Exhibit 115?

12 A. The cross I was wearing in the video.

13 Q. I'm sorry?

14 A. The cross I was wearing in the video.

15 Q. And what is this a picture of?

16 A. That's my passport picture.

17 Q. Is this a photo from the passport that you applied for in
18 March 1997?

19 A. Yes.

20 Q. So in March 1997, you -- in 1997, you would have turned
21 13 in September of that year; is that right?

22 A. Yes.

23 Q. Is this a true and accurate depiction of the passport
24 photo that was in your passport book that you turned over to
25 Mr. Kelly's lawyers?

1 A. Yes.

2 Q. This is a true and accurate depiction of you in your
3 passport photo?

4 A. Yes.

5 MS. APPENTENG: Your Honor, we move to admit
6 Government's Exhibit 115.

7 THE COURT: Any objections?

8 MR. BRINDLEY: No, not now. No, Judge.

9 THE COURT: Admitted.

10 You may publish.

11 (Said exhibit was received in evidence.)

12 BY MS. APPENTENG:

13 Q. This is you, Ms. -- Jane?

14 A. Yes.

15 Q. Again, which cross are you wearing in this passport photo?

16 A. The one my parents bought me.

17 Q. Do you recall any of the names of the lawyers on Robert's
18 team that you met with leading up to his trial?

19 A. Yes.

20 Q. What are some of their names?

21 A. Ed Genson, and I believe there was a Sam.

22 Q. Anyone else?

23 A. Palladino.

24 Q. Did you -- when you met with these lawyers, what was the
25 nature of the conversations?

1 A. It was about my line of questioning as far as the
2 videotape was concerned; again, the cross; the passport; how
3 to handle myself when being questioned; how to respond to
4 certain questions that were being asked of me; and to continue
5 to deny the videotape.

6 Q. You say, "continue to deny."

7 Did they know that that was you on the videotape?

8 MR. BRINDLEY: Objection, your Honor. That is purely
9 speculative of the lawyers.

10 THE COURT: The objection is sustained.

11 BY MS. APPENTENG:

12 Q. Why did you have to turn over the passport again?

13 MR. BRINDLEY: Objection, your Honor. Speculation as
14 to the motivation of a group of lawyers.

15 THE COURT: "Why did you have to turn over the
16 passport again?"

17 Objection sustained.

18 BY MS. APPENTENG:

19 Q. You did turn over your passport, however, to these
20 lawyers; is that correct?

21 A. Yes.

22 Q. So leading up to the trial, did your relationship with
23 Mr. Kelly change at all, leading up to the trial, between 2002
24 and 2008?

25 A. Yes.

1 Q. When did it change and how?

2 A. Can you give me the dates again?

3 Q. Sure.

4 So 2002 is when you testified in the grand jury.

5 Late 2002 -- sorry. Not late 2002.

6 2002, Mr. Kelly was charged with the State.

7 So then between 2002 and 2008 was the time between
8 charges and the trial.

9 A. It changed tremendously after he was found not guilty.

10 MS. BONJEAN: Objection. Not responsive.

11 THE COURT: Overruled.

12 BY MS. APPENTENG:

13 Q. So let's talk about the time period leading up to the
14 trial.

15 Where were you living during that time period leading
16 up to the trial?

17 A. Can you give me, like, the dates, and, like, rephrase the
18 question so I can process it?

19 Q. Sure.

20 So in 2002 and 2003, 2004, and 2005, those years
21 leading up to Mr. Kelly's state court trial, where were you
22 living?

23 So you would have been 17, 18, 19 years old at the
24 time.

25 A. I was living at the house in Olympia Fields.

1 Q. Prior to that -- just prior to that, where were you
2 living?

3 A. With my parents.

4 Q. Were you living with them exclusively from the time you
5 got back from that trip until you moved into Olympia Fields?

6 A. Yes.

7 Q. About what age -- at what age did you move to Olympia
8 Fields?

9 A. I was 17.

10 Q. Okay. And when you say "Olympia Fields," what are you
11 talking about?

12 A. His house -- Robert's house in Olympia Fields.

13 Q. So at 17 years old, you moved to his house in Olympia
14 Fields?

15 A. Yes.

16 Q. Why did you move to his house in Olympia Fields when you
17 were 17?

18 A. We were still in a relationship at the time, and he wanted
19 me to be closer to him so that if anything happened or --
20 basically, like, I was under his wing of avoiding anything
21 with the media or family, like I was basically more so in his
22 control.

23 Q. So we were talking about this in the context of how things
24 changed.

25 Did your relationship change from being one -- did

1 your relationship change?

2 A. Yes.

3 Q. How did it change and when?

4 A. It changed after the trial was complete.

5 It changed for the worse as far as other women being
6 involved, as far as abuse coming into play and things of that
7 nature.

8 Q. What do you mean by "abuse coming into play"?

9 MS. BONJEAN: Judge, I have an objection. I would
10 like to place it on the record at a sidebar.

11 THE COURT: All right.

12 (The following proceedings were had at sidebar:)

13 THE COURT: Go ahead.

14 MS. BONJEAN: I'm waiting for the --

15 THE COURT: Oh, all right.

16 MS. BONJEAN: Thank you, your Honor.

17 I would object to any characterization of this
18 relationship after 2008. I don't know what it's relevant to.
19 She is an adult at this point. There is nothing about the
20 abusive relationship that's relevant to anything.

21 Whatever probative value it has is substantially
22 outweighed by its prejudicial effect. It doesn't go to the
23 charges here.

24 THE COURT: Okay.

25 MS. APPENTENG: Your Honor, we alleged in the

1 indictment in the conspiracy to obstruct justice count that
2 there was intimidation and other things that were at play that
3 kept witnesses that could come forward quiet.

4 Your Honor also ruled in the motion *in limine* that,
5 regarding the government's notice of intent to admit direct
6 evidence about this, that we could introduce testimony and
7 evidence of the physical, emotional, and sexual abuse that
8 Kelly inflicted on Minors 1, 3, 5, and 6.

9 That motion was granted.

10 MS. BONJEAN: She is not a minor, your Honor.

11 If it's directly related to an effort to obstruct, I
12 suppose that's a different matter.

13 But we are going to get into -- I mean, they dated
14 for another ten years. Are we going to go through ten years
15 of her describing, you know, whatever abusive conduct she is
16 going to testify about?

17 It's just highly prejudicial. It just really doesn't
18 have much to do with the charges.

19 MS. APPENTENG: The conspiracy is alleged to have
20 occurred between 2000 and 2015.

21 And again, this is part of the obstruction -- the
22 conspiracy to obstruct justice. That's the allegation in the
23 superseding indictment.

24 MS. BONJEAN: There has to be a nexus.

25 THE COURT: I'm not sure either.

1 What is it? That he was not nice to her, but she
2 stayed with him? What is it?

3 MS. APPENTENG: I'm sorry, your Honor?

4 THE COURT: I'm trying to figure out what the
5 testimony is going to be. I don't know.

6 MS. APPENTENG: The testimony is that, as part of
7 being in an abusive relationship, that it's complicated. The
8 abuse, while it still is ongoing, it's intimidating. She
9 will -- you will hear her testify that that's one of the
10 reasons why she didn't want to leave, she didn't want to --
11 she did not ultimately leave and did not disclose what had
12 happened to her.

13 THE COURT: When did she leave? I mean, I don't know
14 this.

15 MS. BONJEAN: When she was 26 years old.

16 MS. APPENTENG: Your Honor, we don't have to discuss
17 every year by year what happened. We can appreciate that. We
18 can describe it in a summary fashion and move on.

19 THE COURT: I hope you can because --

20 MS. APPENTENG: Yes, your Honor.

21 THE COURT: I will overrule the objection, but let's
22 move this thing along. This is taking about twice as long as
23 I think it should have, but let's go.

24 MS. APPENTENG: Yes, your Honor.

25 THE COURT: All right. Overruled.

1 (End of sidebar proceedings.)

2 BY MS. APPENTENG:

3 Q. Jane, you were just testifying that you had suffered some
4 type of abuse.

5 Can you just generally describe that abuse that --
6 during this time period?

7 MS. BONJEAN: Objection. Foundation.

8 If we can get a time period?

9 THE COURT: What is the time period? I have lost
10 track.

11 MS. APPENTENG: The witness was testifying about the
12 time period when she --

13 MS. BONJEAN: The witness can testify rather than the
14 U.S. Attorney. I would like to hear it from the witness.

15 THE COURT: We were talking about while she was
16 living in --

17 MS. APPENTENG: Olympia Fields, your Honor.

18 THE COURT: -- Olympia Fields with Mr. Kelly.

19 So is that the time period we are talking about?

20 MS. APPENTENG: Yes, your Honor.

21 THE COURT: All right. Proceed.

22 MS. BONJEAN: Your Honor, that was many years. We
23 are talking years.

24 Is it immediately?

25 I think it's fair, I mean, given the length of time

1 she was living with him, that they pinpoint at least a year.

2 THE COURT: Give us some kind of chronology so we
3 know when you are talking about.

4 MS. APPENTENG: Yes, your Honor.

5 BY MS. APPENTENG:

6 Q. When did you move to the Olympia Fields -- Mr. Kelly's
7 Olympia Fields' home? How old were you?

8 A. Seventeen.

9 Q. And you had started to testify about abuse that you
10 endured when you were living there; is that correct?

11 A. Yes.

12 Q. When did that abuse start?

13 A. At about 17.

14 Q. And when did it end?

15 A. When I left.

16 Q. When was that?

17 A. I was about 24.

18 Q. And just in very general terms, can you describe the type
19 of abuse.

20 A. It involved being spanked and hitting.

21 Q. And how did that make you feel?

22 A. Horrible.

23 Q. How were you -- why did you stay with Mr. Kelly at this
24 time, if you felt horrible?

25 A. Because sometimes that abuse would come from me trying to

1 leave.

2 Q. So again, why were you living at -- you explained already
3 why you were living at the George -- at the Olympia Fields
4 home.

5 In lead-up to the trial, were you able to talk to
6 your parents about what was going on with you?

7 A. No.

8 Q. Were you financially dependent on Mr. Kelly at this time?

9 MS. BONJEAN: I object to the leading. This is just
10 the U.S. Attorney testifying.

11 MS. APPENTENG: I'm trying to move things along.

12 THE COURT: Overruled.

13 She can answer that. Just don't lead her anymore.

14 BY THE WITNESS:

15 A. Yes.

16 BY MS. APPENTENG:

17 Q. Why were you financially dependent on Mr. Kelly at this
18 time period?

19 Again, we are talking about between the time you were
20 17 years old until you were 26.

21 A. Because I wasn't allowed to work.

22 Q. I'm sorry. You said you were 24 years old. I apologize
23 for that.

24 Why weren't you able to work?

25 A. He didn't allow me to.

1 Q. How did this abuse that you suffered and being financially
2 dependent on Mr. Kelly factor into your decision to, if at
3 all, to tell people, to tell anyone about what happened to you
4 when you were 14, 15, 16 years old, in terms of the sexual
5 relationship you had with Mr. Kelly?

6 MS. BONJEAN: I am going to object to the continuing
7 relevance of this and as it relates to any count in this
8 indictment for the same reasons that I have already placed on
9 the record, your Honor.

10 THE COURT: Overruled. She can answer.

11 BY THE WITNESS:

12 A. Can you rephrase the question for me?

13 BY MS. APPENTENG:

14 Q. Sure.

15 How did this abuse and being financially dependent on
16 Mr. Kelly lead to you not disclosing, not telling anyone what
17 happened to you when you were 14, 15, 16 years old and having
18 a sexual relationship with Mr. Kelly?

19 A. It created fear.

20 Q. How? Can you please explain.

21 A. At this point I was afraid to talk to anybody.

22 And then I had buried these secrets within myself and
23 my surroundings. So it just really made me timid and afraid
24 to speak to anyone about it.

25 It was just really difficult because it would happen

1 frequently when I would try to leave or even to stay. It
2 was -- both seemed difficult.

3 (Brief pause.)

4 THE COURT: Anything further, or are we --

5 MS. APPENTENG: Yes, your Honor, there is further
6 questioning. About 15 minutes, probably less than that.

7 BY MS. APPENTENG:

8 Q. After -- you were living at the Olympia Fields house after
9 the trial -- after Mr. Kelly's trial; is that correct?

10 A. Yes.

11 Q. You were still living there?

12 A. Yes.

13 Q. And that was in 2008?

14 A. Yes.

15 Q. At what point did you -- you said that you were trying to
16 leave.

17 At what point did you actually leave Mr. Kelly?

18 How old were you?

19 A. About 23, 24.

20 Q. Where did you move away to? Where did you move to?

21 A. To University Park.

22 Q. You moved away from Mr. Kelly?

23 A. Yes.

24 Q. And how were you able to pay for your living expenses?

25 A. He was helping me with that.

1 Q. How was he helping you?

2 A. He would help me pay the rent financially.

3 Q. Were there any other ways in which he helped you
4 financially?

5 A. During that time, like after leaving?

6 Q. Yes.

7 A. Yes. He helped me with rent, and I started working
8 shortly after that. So he helped me get transportation by
9 giving me a car so I would be able to get to work.

10 Q. What kind of car was that?

11 A. A Denali.

12 Q. You said that -- directing your attention to 2014. Did
13 you ask Mr. Kelly to help you with your rent?

14 A. Yes.

15 Q. And what was his response?

16 A. He said "yes."

17 Q. Did he -- how did he help you with your rent?

18 A. He wrote out a check.

19 Q. One check or multiple checks?

20 A. I can't remember exactly how it was coming through, but I
21 do remember going to an office and picking up a check before.

22 Q. Did any of the checks have anything that appeared unusual
23 to you on it?

24 A. Yes.

25 Q. What?

1 A. I noticed when I deposited one of the checks it said,
2 "Settlement."

3 Q. Did you have any type of settlement agreement with
4 Mr. Kelly?

5 A. No.

6 Q. After the 2008 trial -- again, leading up to 2014, when
7 you were receiving those checks and still in communication
8 with Mr. Kelly -- did you tell anybody about the abuse you
9 suffered -- strike that.

10 Did you tell anybody about the sexual relationship
11 that you had with Mr. Kelly when you were 14, 15, 16, 17 years
12 old?

13 A. Yes.

14 Q. Who?

15 A. I was talking to my parents about it.

16 Q. Did you tell any police or law enforcement?

17 A. No.

18 Q. Leading up to your testimony today, however, did you tell
19 law enforcement?

20 A. No.

21 Q. In preparation for your trial -- sorry.

22 In preparation for your testimony today, did you tell
23 law enforcement about what had happened to you back when you
24 were 14, 15, and 16 and 17 years old?

25 A. Yes.

1 Q. When did that happen?

2 A. It started about two or three years ago.

3 Q. Why did you tell law enforcement at that time, after so
4 many years?

5 A. Because I became exhausted with living with his lies.

6 Q. Was it hard for you to say the words about what happened
7 to you when you were 14, 15, 16 years old?

8 A. Yes.

9 Q. Why?

10 MS. BONJEAN: Judge, objection to this. I mean, I
11 have no problem with her explaining --

12 THE COURT: Objection sustained.

13 MS. APPENTENG: Just a moment, your Honor.

14 THE COURT: Okay.

15 (Brief pause.)

16 MS. APPENTENG: We have nothing further, your Honor.

17 THE COURT: Pardon?

18 MS. APPENTENG: We have nothing further, your Honor.

19 THE COURT: Okay. We will suspend until 10:00
20 o'clock tomorrow.

21 MR. BRINDLEY: Judge, I was going to -- I'm going to
22 go first, Judge. I won't be long today, I don't think.

23 THE COURT: Do you want to ask some questions now?

24 MR. BRINDLEY: I think I might be able to get done by
25 5:00.

1 THE COURT: All right. Proceed, then.

2 Thank you.

3 Mr. Brindley, you may question.

4 MR. BRINDLEY: Thank you, your Honor.

5 CROSS-EXAMINATION ON BEHALF OF DEFENDANT McDAVID

6 BY MR. BRINDLEY:

7 Q. Jane, my name is Beau Brindley. I'm a lawyer. I
8 represent Derrel McDavid.

9 I am going to -- it's been a long day, right?

10 A. Yes.

11 Q. So I'm going to try to get through this pretty quickly
12 with you. I know it's been a long day.

13 My first question has to do with, you had said that
14 you had met with multiple lawyers at -- I believe it's the law
15 office of Ed Genson, right?

16 A. Yes.

17 Q. And there were different meetings you had with the various
18 lawyers there, right?

19 A. Yes.

20 Q. Now, the way Eddie's office was set up, there was a big
21 suite with multiple offices, right?

22 A. I can't remember the setup.

23 Q. Okay. Was there an area out in the front where people
24 could sit and then there were offices where you could go back
25 and talk? Does that sound about right?

1 A. I honestly don't remember the setup of the office.

2 Q. Okay. You know that there were occasions when you met
3 with the lawyers, and Derrel McDavid was in the office, right?

4 A. Yes.

5 Q. Okay. But in terms of when you were actually talking to
6 the lawyers behind closed doors, you can't really recall for
7 sure whether he was in there at that time or whether he was
8 out in the front.

9 Is that fair to say?

10 A. Yes.

11 Q. Okay. And you talked about having discussions with the
12 lawyers about your cross necklace, right?

13 A. Yes.

14 Q. The cross necklace is something that you had been asked
15 about at the grand jury, right?

16 A. Correct.

17 Q. The passport photo and the cross necklace is something
18 that the State investigators knew about and they questioned
19 you about, right?

20 A. Correct.

21 Q. That was back when you had a lawyer that Robert had gotten
22 for you, who was there with you, right?

23 A. Yes.

24 Q. So this cross necklace was not some kind of a secret. It
25 was known, right?

1 A. Yes.

2 Q. At some point, you said the lawyers wanted you to give
3 them the cross necklace, correct?

4 A. Correct.

5 Q. Do you remember if you gave it to Eddie, Mr. Genson?

6 A. I'm not exactly sure who I gave it to.

7 Q. One of those guys, though, right? Eddie or Sam or one of
8 the lawyers?

9 A. Yes.

10 Q. Okay. And they asked you questions about your necklace,
11 too, right?

12 A. Yes.

13 Q. They asked you about, where did you get it, right?

14 A. Uh-huh.

15 Q. Is that -- you got to say "yes" or "no" for the reporter.

16 A. Yes.

17 Q. They asked you about what it was made out of, I think you
18 said, right?

19 A. Yes.

20 Q. And you don't know whether they gave it to somebody to --
21 some kind of an expert to look at to see if it could be
22 regenerated on a video. You don't know what they did with it,
23 right?

24 A. No.

25 Q. You certainly don't know what the lawyers told to

1 Mr. McDavid about the necklace, do you?

2 A. No.

3 Q. You don't know what the lawyers told to McDavid about this
4 case -- Mr. McDavid. I'm sorry.

5 You don't know what they told him about this case in
6 general, do you?

7 A. No.

8 Q. And you don't know how the things the lawyers said to
9 Derrel might have impacted his thinking about this whole
10 situation, do you?

11 A. No.

12 Q. Now, as I have understood what you said here today, it's
13 that Robert Kelly basically -- I don't know how to put it. He
14 coached you to lie to all kinds of people. Is that fair?

15 A. Yes.

16 Q. He coached you to give false statements to your parents,
17 right?

18 A. Yes.

19 Q. He coached you to give false statements to whatever
20 investigators you came across right?

21 A. Yes.

22 Q. He coached you to give false statements to a grand jury,
23 right?

24 A. Yes.

25 Q. And you did what he told you, right?

1 A. Correct.

2 Q. Because, as you have said, he had that kind of power over
3 you at the time. Fair to say?

4 A. Yes.

5 Q. And Mr. Kelly, as I understood what you said, he was --
6 according to what you said today, he was using this
7 goddaughter-godfather relationship as sort of a cover to
8 prevent anybody from knowing about the secret part of his
9 life, right?

10 A. Yes.

11 MS. BONJEAN: Objection to that. Misstates what her
12 prior testimony was.

13 THE COURT: What was the objection again?

14 MS. BONJEAN: It misstates what her prior testimony
15 was.

16 THE COURT: Okay. The jury may remember.

17 So go ahead.

18 BY MR. BRINDLEY:

19 Q. The godfather-goddaughter relationship -- you can correct
20 me if I'm wrong, but I thought that you were saying that that
21 was sort of used as a means of -- as a cover to keep secret
22 the sexual part of the relationship, the secret part of the
23 relationship.

24 Am I right?

25 A. Yes.

1 Q. Okay. So it's fair to say, then, that, based on what you
2 have described Robert saying to you today, he made it clear
3 that there was this part of his life that involved you and
4 this secret sexual relationship, he wanted that kept secret
5 from the world, right?

6 A. Yes.

7 Q. He was a public figure, right?

8 A. Yes.

9 Q. He had a huge public persona that you have said really
10 appealed to you, right?

11 A. Yes.

12 Q. And that public persona is far different than what you
13 have been describing here today, right?

14 A. Correct.

15 Q. So he, as you have said -- as I understood you, he went
16 through a lot of efforts in talking with you to make sure that
17 the public part of his persona was never impacted by this
18 secret part, right?

19 MS. BONJEAN: I am going to object.

20 Her testimony on this stands. This is just
21 Mr. Brindley recharacterizing. I don't know what it's
22 relevant to. Her testimony about her conversations with
23 Mr. Kelly have already been made that of her examination.

24 He is just summarizing and recharacterizing to his
25 liking.

1 MR. BRINDLEY: That's cross-examination.

2 THE COURT: You don't need to argue.

3 I'm overruling the objection.

4 This is cross-examination. He can lead the witness.

5 The witness is certainly able to disagree.

6 If he characterizes your prior testimony incorrectly,
7 in your view, you are certainly able -- or should correct him.

8 Okay.

9 BY MR. BRINDLEY:

10 Q. If I am saying something wrong, please tell me. But I
11 thought that what you were saying was basically that he had a
12 public persona, and this part of his life about the sexual
13 part with you and some of the other people you talked about,
14 he talked to you about making sure that never impacted his
15 public life, right?

16 A. Yes.

17 Q. It was supposed to be kept a secret. He took steps to
18 keep it a secret, right?

19 A. Yes.

20 Q. Okay. That went on throughout the duration, between when
21 you met him and this all started and from the time of the
22 trial in 2008. That went on that entire time, this process of
23 keeping it a secret from everybody, right?

24 A. Yes.

25 Q. And you certainly didn't hear what Robert Kelly was

1 telling to Derrel McDavid when you weren't there about any of
2 this, did you?

3 A. Can you repeat the question?

4 Q. When you weren't around, you don't know what Robert told
5 Derrel, do you?

6 A. You said when I was around or I wasn't?

7 Q. When you were not.

8 A. No, I don't.

9 Q. Okay. But what you do know and what you described today
10 is, Robert was involved in an effort to lie about or deny this
11 to the world, right?

12 A. Yes.

13 MR. BRINDLEY: One moment, your Honor.

14 (Brief pause.)

15 MR. BRINDLEY: I have no further questions for the
16 witness.

17 THE COURT: Ms. Judge, will you be that quick?

18 MS. JUDGE: No, Judge. We will go tomorrow.

19 THE COURT: All right. We will suspend until 10:00
20 o'clock tomorrow morning.

21 Members of the jury, don't discuss the case. Don't
22 go on social media and describe your experiences or ask
23 questions. Don't do any independent research. Don't discuss
24 the case with your family or anything else, and don't read
25 about it.

1 But have a nice evening anyway.

2 THE COURT SECURITY OFFICER: All rise.

3 (Jury out at 4:51 p.m.)

4 THE COURT: All right. Outside the presence of the
5 jury, does anybody want to put anything on the record before
6 we suspend until tomorrow?

7 MS. BONJEAN: Yes, Judge.

8 Again, I would renew my motion for a mistrial.

9 This is clearly just incredibly antagonistic
10 defenses. I don't know how much Mr. Kelly should have to do
11 to defend a case.

12 We have the government to contend with. We have
13 Mr. McDavid to contend with. We have Mr. Brown to contend
14 with. And we also have Mr. Brindley, who completely misled
15 this Court and me by suggesting that when we did our motion to
16 sever that, oh, this is just Ms. Bonjean being so overreactive
17 and hysterical. She is just manufacturing a basis for a
18 severance because she was upset about not getting a
19 continuance, which, of course, I didn't manufacture it.
20 Clearly this is always going to be antagonistic. And here we
21 are.

22 So Mr. Kelly is in the unfortunate position of having
23 the government -- essentially three different government type
24 of entities that he has to defend against.

25 So we move for a mistrial.

1 THE COURT: All right. The motion is denied.

2 I suppose you did figure this is a little bit of
3 finger-pointing, but as Judge Easterbrook said, that's
4 sometimes not a bad thing.

5 However, it's my understanding that to have
6 sufficient antagonistic defenses, that the jurors must make a
7 choice between one or the other, and that's not the case here.

8 So the motion is denied.

9 Have a nice evening, everybody.

10 MS. BONJEAN: Judge, I'm sorry. I don't want to
11 belabor the point, but it is -- I would argue that it is
12 actually precisely that scenario. I would be happy -- I'm
13 going to put it in writing, Judge. I'm not going to take up
14 any more tonight.

15 THE COURT: That's fine. Put it in writing.

16 Thank you.

17 (An adjournment was taken at 4:54 p.m.)

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C E R T I F I C A T E

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We, Frances Ward and Amy Spee, do hereby certify that
the foregoing is a complete, true, and accurate transcript of
the proceedings had in the above-entitled case before the
Honorable HARRY D. LEINENWEBER, one of the judges of said
Court, at Chicago, Illinois, on 8/18/2022.

8

9

/s/ Frances Ward, RPR, RMR, FCRR August 18, 2022
Official Court Reporter

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/s/ Amy Spee, CSR, RPR, CRR August 18, 2022
Official Court Reporter

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

3 UNITED STATES OF AMERICA,)
4 Plaintiff,)
5 - vs -) Case No. 19 CR 567
6 ROBERT SYLVESTER KELLY, a/k/a) Chicago, Illinois
7 "R. Kelly"; DERREL McDAVID;) August 19, 2022
8 and MILTON BROWN, a/k/a "June) 10:00 a.m.
Brown,")
9 Defendants.)

VOLUME 5-A
TRANSCRIPT OF PROCEEDINGS - Trial
BEFORE THE HONORABLE HARRY D. LEINENWEBER, and a Jury

APPEARANCES:

For the Plaintiff: UNITED STATES ATTORNEY'S OFFICE
NORTHERN DISTRICT OF ILLINOIS
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Milton Brown:
FEDERAL DEFENDER PROGRAM
BY: MS. MARY HIGGINS JUDGE
MS. KATHLEEN LEON
MR. KYLE KENT
55 East Monroe Street
Suite 2800
Chicago, IL 60603

13 ALSO PRESENT: MS. MELISSA SIFFERMANN,
14 Homeland Security Investigations

1 (Proceedings heard in open court. Jury out.)

2 THE COURT: The government wants to raise some point,
3 so as soon as you sit down. I think everybody is here.

4 Yes?

5 MS. POZOLO: Yes, your Honor. We are tendering your
6 Honor with a proposed jury instruction. Yesterday when the
7 government moved to admit Government Exhibit 2 which contains
8 Videos 2 and 3, Ms. Bonjean objected and stated that she
9 didn't know what the exhibit was and asked whether this was
10 one of the exhibits the government provided to her.

11 Ms. Appenteng said, "No, we cannot provide it to you
12 because it is contraband."

13 Ms. Bonjean responded, "That seems fair."

14 Her comments about discovery took place in front of
15 the jury and contrary to her representation that she would not
16 discuss discovery matters in front of the jury. That's motion
17 in limine No. 10. Before trial, the government moved to
18 exclude this precise type of commentary, especially as it
19 relates to child pornography which cannot be turned over to
20 the defense. They have to come review it in a controlled
21 setting which was done in this case by each of the defendants'
22 counsel.

23 So we think it's improper that the jury now has the
24 impression that the government is not making evidence
25 available to the defendants which is not the case, and we're

1 asking that your Honor give this two-sentence instruction
2 which states: "You heard testimony yesterday about Government
3 Exhibits 1 and 2 that contain what is referred to as Videos 1,
4 2, and 3. Prior to trial, Government Exhibit 1 and Government
5 Exhibit 2 remain available."

6 THE COURT: Okay. Ms. Bonjean, how do you respond?

7 MS. BONJEAN: Well, first of all, it wasn't provided
8 to us, and I wasn't suggesting that the contents of it. They
9 handed an exhibit that they didn't even give us a photocopy
10 of. It was a CD. And they didn't give us a copy of even the
11 front of the photo -- of the CD.

12 So when I asked, is this -- there are so many copies
13 of these things, so I said, which I think, since it wasn't in
14 our book of exhibits, was this provided to us. It was the
15 U.S. Attorney that said no. She didn't say, "Yes, counselor,
16 it was provided to us -- provided to you. It's the same" --
17 she said, "No, it wasn't because it's contraband."

18 I have every right to know precisely what this
19 witness was looking at, and I simply asked to -- I wasn't
20 asking for the imagery. I was asking for, what is the actual
21 physical thing you're presenting to her right now. And we
22 weren't provided with a copy of it.

23 So first of all, this instruction is wrong. It
24 wasn't provided to us, and the AUSA admitted as much. She
25 didn't have to admit that in front of the jury. I didn't ask

1 her to. I just said, "Can you just show it to us?"

2 And when she said, "No, we didn't provide it to you,"
3 I said, "Okay, can I" -- she says, "I can show it to you."

4 And I said, "That seems fair." That wasn't a
5 discovery --

6 THE COURT: Well, you have -- it was made available
7 for your review, wasn't it?

8 MS. BONJEAN: I don't know what's on those things. I
9 don't know what's on those disks. I have to take the
10 government's word for --

11 MS. POZOLO: Your Honor, that is--

12 MS. BONJEAN: -- what's on those disks.

13 MS. POZOLO: Your Honor, that is disingenuous because
14 we have provided an exhibit list weeks ago repeatedly
15 reminding defense counsel if they wish to view the child
16 pornography, it can be -- arrangements can be made. We have
17 done that several times in this case. Ms. Bonjean herself
18 came to HSI and reviewed those images.

19 MS. BONJEAN: Yes, the images, but what they were
20 presenting to the witness, I did -- I don't know what they
21 did. They could have just copied it and said this is what she
22 looked at, here's the date she looked at it because she put a
23 date on it, here are her initials. That was not provided.

24 So they're the ones that are being disingenuous.
25 They are asking us to take their word, when there's a

1 bazillion copies of these things out there --

2 THE COURT: All right. All right. I don't feel it's
3 necessary to make a big deal out of this at this time. We'll
4 see how things play out from now on. So I'm going to leave it
5 alone, and I will not give that instruction at this precise
6 time.

7 One thing, however, there had -- there did show up a
8 problem of what to call the various minors' pseudonyms. So
9 as -- will all of the witnesses that -- from here on out, will
10 they be schooled on what the specific minor's nickname or
11 pseudonym is?

12 MS. POZOLO: Yes, your Honor.

13 THE COURT: So that won't pose a problem then.

14 MS. POZOLO: No, it will not, your Honor.

15 And one other thing I wanted to raise was related to
16 the witness after Jane is concluded. We will be calling
17 Special Agent Melissa Siffermann to publish the child
18 pornography to the jury. And pursuant to your ruling on
19 motion in limine No. 4, the government -- you granted the
20 government's unopposed request that that -- that the courtroom
21 be cleared of the public spectators, the overflow courtrooms
22 be disconnected, and that the jury and the parties are the
23 only individuals here. So that is coming up during Agent
24 Siffermann's testimony likely today.

25 THE COURT: Any comments?

1 MS. BONJEAN: Well, one comment is, again, the
2 government has not provided us with the actual clips they
3 intend to use. I feel we are entitled to have the clips
4 designated. These are 30-minute tapes. They're not using all
5 the tapes which they shouldn't, but we still should know what
6 they're using --

7 THE COURT: Well --

8 MS. BONJEAN: -- from those tapes.

9 THE COURT: I don't think it's necessary to clear the
10 courtroom. I think that makes -- but I would suggest that
11 everybody turn their monitors away from the public areas. I
12 don't see any particular reason that --

13 MS. POZOLO: Your Honor, there's audio. There's very
14 graphic audio and --

15 THE COURT: Well, the audio --

16 MS. POZOLO: -- there's no way to prevent the
17 viewing. The monitors are all over the courtroom.

18 THE COURT: I don't think the audio is the problem.
19 It's the viewing of it. So I don't think we need to clear the
20 courtroom. But just for those on that side and this side,
21 turn the monitors --

22 MS. BONJEAN: Can we at least know -- I'm sorry,
23 Judge. Go ahead.

24 Could we at least know how long these clips are that
25 they're playing? We just don't have any information about

1 what they are --

2 THE COURT: Yes. How long are the clips?

3 MS. POZOLO: The clips are between 30 seconds and two
4 minutes.

5 THE COURT: Okay.

6 MS. POZOLO: And so in total, we've cut,
7 significantly cut down the videos. And again, your Honor, the
8 exhibit list containing the number of clips was provided a
9 long time ago to defense counsel, and they had every
10 opportunity to view it. And they just --

11 THE COURT: All right.

12 MS. POZOLO: -- hadn't decided, and now they want to
13 make an issue of it.

14 THE COURT: All right. Okay. We'll proceed that
15 way, but I don't see the need to but, please, those on -- turn
16 your monitors away from the corners and the sides.

17 Otherwise, ready for the jury?

18 MS. JUDGE: I have something, Judge --

19 THE COURT: Yes.

20 MS. JUDGE: -- if I may very quickly.

21 Last night after Minor 1 testified, I contacted the
22 government and requested that they not be contact -- not be
23 speaking with her because she's still on the stand, and they
24 confirmed that they did not have any intention of doing so.

25 And then about 11:00 o'clock, I got an email about

1 the government's victim liaison at the U.S. Attorney's office
2 who had a conversation. The government's not going to use
3 that conversation. I'm not concerned about what the content
4 is. But this individual that's escorting any of the minors in
5 this case, I just want to make sure she is a member of the
6 prosecution team, that she be admonished not to be having
7 conversations about the content of this prosecution.

8 I understand she's perhaps -- I really don't know
9 exactly what her job is at the U.S. Attorney's office with
10 these now adults that were once minors, but they're what the
11 government is calling victims. So she was here in court. She
12 brings her in. She leaves with her. But she cannot be having
13 conversations with her because she also is a member of the
14 prosecution team when the witnesses are in between testimony.

15 THE COURT: I assume that the liaison does not
16 discuss testimony. Is that correct?

17 MS. POZOLO: Yes, your Honor.

18 THE COURT: Okay. Ready for the jury?

19 Have the jury come in, please. Thank you.

20 MS. POZOLO: And, your Honor, does your instruction
21 to the sketch artists still stand in terms of not sketching
22 the witness' face?

23 THE COURT: Yes. I happened to watch the news this
24 morning, and I don't know who -- it was on WGN. I don't know
25 whose it was, but it was properly made indescribable,

1 whatever -- and where is the witness?

2 (Proceedings heard in open court. Jury in.)

3 THE COURT: Please be seated.

4 The witness can resume the stand.

5 Who is going to go first; Ms. Judge or Ms. Bonjean?

6 MS. LEON: Brown's defense will go first.

7 THE COURT: Pardon?

8 MS. LEON: We are, your Honor.

9 THE COURT: Okay.

10 (Pause.)

11 THE COURT: Is the witness en route?

12 MS. APPENTENG: Yes, your Honor. The CSOs are moving
13 throughout the building with her.

14 (Pause.)

15 THE CLERK: All rise.

16 THE COURT: Please be seated.

17 Ms. Leon, you may question the witness.

18 MS. LEON: Thank you, Judge.

19 JANE, GOVERNMENT'S WITNESS, PREVIOUSLY SWORN

20 DIRECT EXAMINATION

21 BY MS. LEON:

22 Q. Hi, Jane.

23 A. Good morning.

24 Q. Do you need a second to get --

25 A. No. I'm okay.

1 Q. Okay. My name is Kathleen Leon, and I'm an attorney for
2 Mr. Brown. Okay?

3 A. Okay.

4 Q. I'm going to ask you a few questions about your testimony
5 yesterday. Okay?

6 A. Okay.

7 Q. So yesterday, you talked about surprising Mr. Kelly when
8 you showed him your tattoo.

9 A. Yes.

10 Q. And I believe you said he wasn't upset about it, but he
11 needed you to get it covered up?

12 A. Correct.

13 Q. And to do that, he asked you to go to a tattoo parlor?

14 A. Correct.

15 Q. And to fill in the tattoo, cover up his name?

16 A. Yes.

17 Q. Okay. And that was because you -- at that time, you were
18 both denying the nature of your relationship to the world?

19 A. Correct.

20 Q. I think you've said yesterday that Mr. Kelly let you know
21 that Milton was going to pick you up?

22 A. Yes.

23 Q. And take you to the tattoo shop for this coverup?

24 A. Correct.

25 Q. Mr. Kelly had already given you the instructions on what

1 you needed to do?

2 A. Correct.

3 Q. Okay. And yesterday, you testified that Mr. Kelly went
4 through great lengths to keep the sexual relationship between
5 the two of you a secret?

6 A. Correct.

7 Q. And that meant lying to everyone around you?

8 A. Correct.

9 Q. Because if anyone found out, you were concerned they would
10 threaten to ruin his life?

11 A. Correct.

12 Q. And he was concerned?

13 A. Yes.

14 Q. And they could, in fact, ruin his life with this
15 information?

16 A. Yes.

17 Q. And you also said yesterday, you weren't there when
18 Mr. Kelly called Milton Brown and told him to pick you up?

19 A. Correct.

20 Q. So you don't know what Mr. Kelly told Milton Brown?

21 A. No.

22 Q. You have no idea if he told Milton why you were having the
23 tattoo covered up?

24 A. I don't.

25 Q. Okay. All you know is that Mr. Kelly needed to keep his

1 secrets secret?

2 A. Correct.

3 Q. Okay. So let's talk about the drive to the tattoo parlor
4 but first, let's talk about some rules. Mr. Kelly had some
5 rules for you, right?

6 A. Yes.

7 Q. And this included even how you behaved when you were being
8 driven somewhere?

9 A. Yes.

10 Q. Okay. And these rules were meant to control you?

11 A. Yes.

12 Q. And control his employees?

13 A. Correct.

14 Q. That was part of his way of hiding this secret?

15 A. Yes.

16 Q. Of making sure that he can continue living his double
17 life?

18 A. Yes.

19 Q. Okay. The men who work for Mr. Kelly could not speak to
20 any of his guests or his artists?

21 A. Yes.

22 Q. Yes, they could not speak to them?

23 A. Right.

24 Q. Okay. They would get in trouble if they did?

25 A. Yes.

1 Q. Even get fired?

2 A. Yes.

3 Q. Not paid?

4 A. Yes.

5 Q. Okay. Mr. Kelly would even get mad at you if you broke
6 the rules?

7 A. Correct.

8 Q. So you followed the rules?

9 A. Yes.

10 Q. Okay. So when you get in the car with Milton, you sit in
11 the back seat?

12 A. Correct.

13 Q. He's the chauffeur?

14 A. Yes.

15 Q. Okay. Even if there's only you in the car, you're sitting
16 in the backseat?

17 A. Yes.

18 Q. I think you said yesterday you had no conversation about
19 the tattoo with Milton?

20 A. Right.

21 Q. You had no conversation at all with Milton on the way
22 there?

23 A. No.

24 Q. Okay. And you had no conversation with him because you
25 knew the rules?

1 A. Correct.

2 Q. So when -- now we're going to move on to when you get to
3 the tattoo parlor. Okay. Again, Mr. Kelly had already given
4 you directions on what was going to happen. Milton was going
5 to drive you there, and you were going to get the tattoo
6 covered up?

7 A. Yes.

8 Q. So when you get to the tattoo parlor, it wasn't what you
9 were expecting. It was a house?

10 A. Yes.

11 Q. Milton let you know you've arrived at the address?

12 I just need a verbal answer.

13 A. Yes.

14 Q. Okay. And you and Milton go into the house?

15 A. Yes.

16 Q. And even though it looked like a home from the outside,
17 when you get inside, it's actually been transformed into a
18 tattoo parlor?

19 A. Yes.

20 Q. So you walk into what looks like a living room area?

21 A. Yes.

22 Q. And that area is kind of like a waiting area, right?

23 A. Uh-huh.

24 Q. Okay. And they take you to a private area or something
25 that has a little tattoo setup?

1 A. Yes.

2 Q. Like any other tattoo shop?

3 A. Correct.

4 Q. And it's like a sanitized location, people aren't just
5 walking around freely?

6 A. Correct.

7 Q. Okay. You said yesterday that you spoke to the tattoo
8 artist?

9 A. Yes.

10 Q. And you let them know the directions that Mr. Kelly had
11 given you?

12 A. Yes.

13 Q. You had a tattoo, you needed to get it covered up?

14 A. Yes.

15 Q. Okay. And the artist did just that, he covered up the
16 tattoo? I think you said he shaded it in?

17 A. Yes.

18 Q. Okay. And when you were done, you came out, and you and
19 Milton left?

20 A. Yes.

21 Q. Okay. And yesterday, you testified that Milton never
22 talked to the tattoo artist?

23 A. Correct.

24 Q. And you also said yesterday that you had no conversation
25 with Milton on the drive back to, I believe it was, the

1 studio?

2 A. Yes.

3 Q. Okay. I want to move on to the bags that you were talking
4 about.

5 A. Yes.

6 Q. Okay. So Milton not only drives you, but he drives a lot
7 of people, right?

8 A. Yes.

9 Q. Guests, artists, other celebrities, Mr. Kelly's friends?

10 A. Yes.

11 Q. It's fair to say that R. Kelly, the celebrity, is not
12 carrying his own luggage and bags when he gets to his
13 destination?

14 A. Sometimes.

15 Q. Sometimes, but not all the time?

16 A. Right.

17 Q. Okay. He's got people to do that most of the time?

18 A. Yes.

19 Q. Okay. Milton was not the only one who had the job of
20 carrying Kelly's bags, right?

21 A. Correct.

22 Q. Can you name some of the other people who had this job?

23 A. Just other employees that were working for him.

24 Q. Other employees. Other employees like Tom Arnold?

25 A. Yes.

1 Q. George Kelly who I think his nickname is June Bug?

2 A. Correct.

3 Q. Okay. And even more than that?

4 A. Yes.

5 Q. Okay. And you've never seen any of these other employees,
6 basically chauffeurs, go through R. Kelly's or his celebrity
7 guests' bags, right?

8 A. No.

9 MS. LEON: Okay. May I confer, your Honor?

10 THE COURT: Yes.

11 MS. LEON: Thank you. No further questions.

12 THE COURT: Ms. Bonjean, you may question the
13 witness.

14 MS. BONJEAN: Thank you, your Honor.

15 CROSS-EXAMINATION

16 BY MS. BONJEAN:

17 Q. Good morning, Jane.

18 A. Good morning.

19 Q. My name is Jenny -- Jennifer, and I represent Mr. Kelly.

20 A. Excuse me.

21 Q. If I understand your testimony correctly, you had about a
22 12-year relationship with Robert; is that right?

23 A. Yes.

24 Q. And I think you testified yesterday that this relationship
25 commenced, sexual relationship, when you were around 14 or

1 around that time in 1998-ish. Is that about right?

2 A. Correct.

3 Q. And then ultimately, you left the relationship, I think,
4 in 2010. Does that sound right?

5 A. Sounds about right.

6 Q. Okay. And that means you were about 26 years old, if my
7 math is correct, give or take?

8 A. Yes.

9 Q. And you said yesterday that when you left, you moved into
10 an apartment, I think in University Park; is that correct?

11 A. Correct.

12 Q. And that he helped you get set up there with rent, paying
13 for the rent and getting you an apartment there; is that
14 right?

15 A. Correct.

16 Q. And I think you also said that he made sure that you had
17 transportation. I think there was -- I think you mentioned a
18 Denali or something like that?

19 A. Yes.

20 Q. And that was like a -- that was like a Denali. That
21 wasn't brand-new, that was something that was used, right?

22 A. Correct.

23 Q. Okay. And you testified in 2002 before the grand jury in
24 Cook County when you were 17 years old, right?

25 A. Yes.

1 Q. And you understand that at 17 years old in the state of
2 Illinois, you were considered an adult?

3 A. Correct.

4 Q. All right. And you were still in a relationship with
5 Robert at that time, correct?

6 A. Yes.

7 Q. And by that point, the relationship was a legal
8 relationship because you were of legal age in terms of
9 consenting, right?

10 MS. APPENTENG: Objection, your Honor. Excuse me.
11 Objection, your Honor. Calls for a legal conclusion that the
12 witness may not be aware of.

13 MS. BONJEAN: Were --

14 THE COURT: Well, overruled.

15 BY MS. BONJEAN:

16 Q. You were aware that at 17, you were actually permitted to
17 have a relationship with him in the eyes of the law in
18 Illinois, right?

19 A. I was not aware of that.

20 Q. Okay.

21 A. I thought it was age 18.

22 Q. Okay. And at the time -- in 2008 when Robert was
23 prosecuted for the charges related to child pornography, you
24 also were still in a relationship with him; is that right?

25 A. Yes.

1 Q. And, in fact, at that time you were about 24 years old,
2 correct?

3 A. Correct.

4 Q. And you were living with him, right?

5 A. Yes.

6 Q. And his wife was living there too, right?

7 A. Yes.

8 Q. And you claim that Robert, after this time, became abusive
9 and controlling. Is that correct?

10 A. Yes.

11 Q. Okay. But before that, the relationship wasn't abusive or
12 controlling? It was after the 2008 prosecution and subsequent
13 acquittal, right?

14 A. It got worse during that time.

15 Q. All right. And this behavior that you're talking about,
16 this increased abuse that you were talking about, this didn't
17 have anything to do with his 2008 acquittal, I assume, right?

18 A. No.

19 Q. The case was over and done with at that point, correct?

20 A. Right.

21 Q. And you put it behind you at that point, correct?

22 A. Yes.

23 Q. Robert put it behind him at that point, right?

24 A. Yes.

25 MS. APPENTENG: Objection, your Honor. Speculation

1 as to what Robert Kelly knew.

2 BY MS. BONJEAN:

3 Q. Well, you were living with him, weren't you?

4 A. Yes.

5 Q. You talked to him pretty regularly given the fact that you
6 lived with him and I guess his wife, right?

7 A. Correct.

8 Q. In fact, you also had a sexual relationship with him and
9 his wife, right?

10 A. That's what he wanted.

11 Q. You did that, though, as an adult, right?

12 A. Correct.

13 Q. And you understood that after 2008 acquittal from your
14 conversations with Robert that this is all in the past, right?

15 A. Correct.

16 Q. Now, when you did move out -- strike that. Let me ask you
17 one other thing.

18 You testified that you weren't allowed to work when
19 you were living with Robert, but that's not true, right?

20 A. No, I was not allowed to work.

21 Q. Didn't you -- weren't you going to school at Moraine
22 Community College trying -- going to classes there?

23 A. Correct, but I was also not able to choose what I wanted
24 to go to school for.

25 Q. Okay. But and you were also working at a daycare center;

1 isn't that right?

2 A. After the trial, yes, that is correct.

3 Q. Even before, you were working at a daycare center and
4 going to classes, correct?

5 A. No.

6 Q. All right. Well, do you remember being interviewed by the
7 U.S. Attorneys back, let's see, on May 3rd of 2019?

8 A. I don't remember dates, but if you can refresh my memory.
9 I'm not saying that didn't happen.

10 Q. And at that point, you admitted that you were taking
11 childhood courses at Moraine Valley College for approximately
12 one-and-a-half to two years, right?

13 A. Yes.

14 Q. So he didn't prevent you from taking classes at a
15 community college, right?

16 A. Well, during the trial, I was not able to go to school for
17 what I wanted to study, is all I'm saying.

18 Q. Okay. We're talking about after the acquittal. Okay.
19 That's what -- that's the timeframe I'd like to focus on.

20 A. Yes, after that, I was able to, that is correct.

21 Q. Right. And he paid for that, right?

22 A. Yes.

23 Q. Now, after you moved out, you maintained a very tight
24 relationship with Robert, didn't you?

25 A. Yes.

1 Q. Despite how terribly abusive it was, according to you, you
2 remained close to him, correct?

3 A. He wasn't like that all the time.

4 Q. Uh-huh. In fact, your whole family was very close to
5 him --

6 A. Yes.

7 Q. -- even -- even after you broke up because of this alleged
8 abusive relationship, right?

9 A. Yes.

10 Q. Indeed, your dad worked pretty consistently with Robert
11 between 1998 and 2011; isn't that correct?

12 A. Yes.

13 Q. He worked with Robert before the sex tape scandal came and
14 after it was all over, correct?

15 A. Yes.

16 Q. And even after you left Robert, he worked with your dad,
17 right?

18 A. Yes.

19 Q. In fact, your father was a guitarist, as I understand it;
20 is that correct?

21 A. Yes.

22 Q. And as I understand it, a very talented guitarist. You'd
23 agree with that, I assume?

24 A. Correct.

25 Q. He worked with people other than R. Kelly, correct?

1 A. Yes.

2 Q. And, in fact, that album that you identified on the wall
3 of Robert's studio that had all of those platinum and -- I
4 think it was called *R*, or *Reality*. Is that what it's called?

5 A. I'm not exactly sure.

6 Q. Okay. Well, you identified it. Should we put the picture
7 up, or do you know which one I'm talking about?

8 A. I know which one you're referencing, yes.

9 Q. And your dad worked on that album, didn't he?

10 A. Yes.

11 Q. In fact, that's the album for which Mr. Kelly received a
12 Grammy, right?

13 A. Yes.

14 Q. That's the album that has the song *I Believe I Can Fly* on
15 it, right?

16 A. Yes.

17 Q. And that's the album your father worked on in 199' -- late
18 1997, '98, before there was any sex tape scandal, correct?

19 A. Yes.

20 Q. Your father worked on a number of albums with Mr. Kelly,
21 correct?

22 A. Yes.

23 Q. And he worked with other artists, right?

24 A. Correct.

25 Q. And this was all before the tape that became public in

1 2002 was released, right?

2 A. Yes.

3 Q. And it was your aunt who released that tape?

4 A. I'm sorry?

5 Q. It was your aunt that released that tape to Jim DeRogatis,
6 right?

7 A. To my understanding, yes.

8 Q. Sparkle?

9 A. Correct.

10 Q. Her real name is Stephanie Edwards?

11 A. Uh-huh, yes.

12 Q. Now, your father worked on the Grammy-nominated album *Love*
13 *Letter* in 2011, right?

14 A. Yes.

15 Q. And that was after you and Mr. Kelly were completely over
16 with romantically, right?

17 A. Yes.

18 Q. And after you and Robert broke up, you cared about him and
19 he cared about you, right?

20 A. Yes.

21 Q. Even after you broke up, you sometimes came back together
22 and had intimate times together; is that fair?

23 A. Yes.

24 Q. And he helped you out from time to time with finances and
25 things you needed, correct?

1 A. Correct.

2 Q. For instance, you testified that in 2014 and 2015, Robert
3 helped you with rent payments, right?

4 A. Yes.

5 Q. I think, it looked like your rent was, what, about \$1100
6 or \$1,100, does that sound about right, during that period?

7 A. Yes.

8 Q. And Robert wasn't writing checks to you; he would delegate
9 that to somebody, right?

10 A. Correct.

11 MS. APPENTENG: Objection, your Honor. That's
12 speculation as to what Mr. Kelly was doing.

13 MS. BONJEAN: Well, I can clarify.

14 THE COURT: What he was doing? I don't see how
15 that's speculating. Overruled.

16 BY MS. BONJEAN:

17 Q. You would receive checks not directly from Robert but from
18 somebody that worked for Robert, right?

19 A. Yes.

20 Q. And sometimes you would receive wire transfers from
21 somebody who would initiate those wires, right?

22 A. Yes.

23 Q. And having spent 12 years plus a whole friendship
24 afterwards with Robert, you're aware that he wasn't the person
25 that would manage his finances personally, right?

1 A. Correct.

2 Q. He had managers who did that, correct?

3 A. Yes.

4 Q. He wasn't someone who was intimately involved in the
5 business side of things. He was the artist, correct?

6 A. Yes.

7 Q. And he also struggled with things like math and reading
8 and writing and all those things, right?

9 A. Yes.

10 Q. So he delegated those activities to people like
11 Mr. McDavid, correct?

12 A. Yes.

13 Q. And then there were other managers as well. Do you --
14 were you familiar with some of Robert's other managers?

15 A. Not that I can think of.

16 Q. Okay. And after you broke up, you would continue to go to
17 his concerts, right?

18 A. Yes.

19 Q. Your family would go to his concerts?

20 A. Yes.

21 Q. Your brother, I understand it, is also a musician; is that
22 right?

23 A. Correct.

24 Q. And he would also attend events that Robert would invite
25 you to, correct?

1 A. Yes.

2 Q. And after you -- in 2008 after he was acquitted, this
3 relationship that you had with Robert, it wasn't centered at
4 all around the scandal and the 2008 acquittal, was it?

5 A. No.

6 Q. In fact, that was a subject matter that you and Mr. Kelly
7 did not want to talk about, correct?

8 A. No.

9 Q. You didn't?

10 A. No.

11 Excuse me.

12 Q. Now, I want to show you -- well, strike that. I'm sorry.

13 In September of 2008, this would have been --

14 A. Thank you.

15 Q. Let me back up a second. You're familiar with the
16 docuseries *Surviving R. Kelly*, right?

17 A. Correct.

18 Q. And you're aware that it was premiered in, like, January
19 of 2019, right?

20 A. Yes.

21 Q. Because your life kind of changed when that came out,
22 right?

23 A. Yes.

24 Q. But before that, late 2018, you were communicating
25 regularly with Robert via text and sometimes on the phone,

1 right?

2 A. Yes.

3 MS. BONJEAN: I am going to mark this as -- hold on
4 one second.

5 Okay. I'm going to have you look at the screen,
6 okay, and because I want -- I don't want to say something
7 publicly. We're going to mark this as Defendant's 100, for
8 identification purposes.

9 Okay. And can you pull out the bottom there?

10 MS. JUDGE: Excuse me, if I may. Just for
11 clarification, if we could label your exhibits Defendant Kelly
12 so we can separate them --

13 MS. BONJEAN: Sure.

14 MS. JUDGE: -- that would be appreciated.

15 MS. BONJEAN: Yeah, sure.

16 MS. JUDGE: Thank you.

17 BY MS. BONJEAN:

18 Q. Do you see the screen?

19 A. Yes.

20 Q. If you can look at the bottom there, not the blue part but
21 right below it, I don't want to put it --

22 A. There's nothing on my screen.

23 Q. I don't want to put it publicly on the record. But do you
24 recognize your phone number there at the bottom -- or your old
25 phone number there at the bottom?

1 A. Yes.

2 Q. Okay. And do you recognize Mr. Kelly's phone number right
3 above it, the one that begins with the 6?

4 A. I don't remember the number, but --

5 Q. Okay.

6 A. -- it looks familiar.

7 Q. Okay. So let's go -- I'm going to have you scroll through
8 that. Go to the next page and take a look. And go ahead and
9 read it to yourself and then --

10 A. It's actually not legible.

11 Q. Okay. How about that?

12 A. Okay.

13 Q. Read it to yourself, and then you can tell me if you
14 recognize it.

15 Go to the next page next. Keep going.

16 Do you remember these exchanges?

17 A. Yes.

18 Q. And they were exchanges with Mr. Kelly, correct?

19 A. Yes.

20 Q. Okay. And do they appear to be your communications with
21 Mr. Kelly during this time period right before the release of
22 Surviving R. Kelly?

23 A. Yes.

24 MS. BONJEAN: Okay. Judge, I would offer them into
25 evidence not for the truth of the matter asserted but for the

1 respect of state of mind.

2 THE COURT: Any objection?

3 Hearing none, they're admitted. You may publish
4 them.

5 MS. BONJEAN: Thank you, your Honor.

6 (Defendant Kelly Exhibit 100 received in evidence.)

7 MS. APPENTENG: The government objects to the
8 publishing. It has the witness' telephone number on it, and
9 it's not redacted.

10 THE COURT: Oh, okay.

11 MS. BONJEAN: We'll redact it.

12 THE COURT: I understand it's not a working number,
13 is it?

14 MS. BONJEAN: No, it's not a working number, but
15 we'll still redact it.

16 MS. APPENTENG: It can still be used to identify even
17 though it's not working, your Honor.

18 MS. BONJEAN: That's fine. We'll redact it.

19 THE COURT: Okay. Redact it. Other than that, you
20 may publish.

21 MS. BONJEAN: It's not -- that's not the one. That's
22 not what...

23 While we're redacting, your Honor, I'll keep asking
24 some questions. Okay.

25 THE COURT: Okay.

1 MS. BONJEAN: Let's go to the next page. It has been
2 redacted.

3 LAW CLERK: So should I publish it?

4 MS. BONJEAN: I would move to publish. I think the
5 judge said okay.

6 MS. APPENTENG: No, it's not redacted yet.

7 THE COURT: Yes, it can be published.

8 MS. BONJEAN: This is -- it's on the next multiple
9 pages, though.

10 MS. COHEN: I understand. I'm going to do it as we
11 go.

12 MS. BONJEAN: So we'll go to the next page. It is
13 redacted. What are you referencing?

14 THE COURT: Why don't you proceed with the rest of
15 them while they're being redacted, and then you can show them
16 all.

17 MS. BONJEAN: That's not her phone number that you're
18 pointing to. That's not her phone number.

19 MS. APPENTENG: Then it's not relevant.

20 MS. BONJEAN: I have to go to the next page.

21 MS. APPENTENG: So are we publishing this page that
22 is not her phone number?

23 MS. BONJEAN: Do you see the bottom part? It had
24 their phone numbers. We just redacted her phone number. It
25 has Mr. Kelly's phone number and then it had her number. We

1 redacted it.

2 MS. APPENTENG: So the messages that she does not
3 identify as being hers shouldn't be appearing on the screen.

4 MS. BONJEAN: That's not true. I'm going to the next
5 page.

6 THE COURT: Wait, wait, wait. Let's -- is there
7 objection on the floor and, if so, state the basis for the
8 objection.

9 MS. APPENTENG: The objection is relevance. The
10 defense counsel has just indicated that there's numbers on
11 here, telephone numbers that are neither Jane's or
12 Mr. Kelly's, so those shouldn't be -- those messages should
13 not be there. We understand that the numbers that are -- the
14 messages between them, the numbers are redacted.

15 MS. BONJEAN: Okay.

16 THE COURT: I was under the impression -- I was under
17 the impression that she identified these messages and that
18 there's a phone number on there which has long not been used,
19 so I don't see what the problem is.

20 MS. BONJEAN: And we just redacted them. They're
21 just looking at a portion of the document that, the half -- we
22 had to look at the bottom half of the page. So we've now
23 moved on to the next page. Okay.

24 Jane -- ready? Okay.

25 BY MS. BONJEAN:

1 Q. These are your messages to Mr. Kelly, right?

2 A. Correct.

3 Q. And the date on that is September 26th, 2018, correct?

4 A. Yes.

5 Q. And you sent him a message saying, "I'm next to you, LOL."

6 And then you said, "Let's share a toast for my 34th glo'day,"

7 right?

8 A. Correct.

9 Q. What's a glow day?

10 A. It was my birthday.

11 Q. So you wanted to celebrate your birthday with him in

12 September of 2018, right?

13 A. We were in the same party.

14 Q. Okay. Well, you sent him a link to where you were going

15 to be hosting your birthday, right?

16 A. That sounds about right.

17 MS. COHEN: Sorry.

18 BY MS. BONJEAN:

19 Q. Okay. And then you had to change the location of your

20 birthday, right?

21 A. I don't remember that, but that could be true.

22 Q. You said, "Also tonight I had to change the location. Joy
23 District at 8:00 o'clock." Right?

24 A. Yes.

25 Q. And did you, in fact, have a birthday celebration there at

1 8:00 o'clock?

2 A. Yes.

3 Q. Did he attend?

4 A. I don't think so, no.

5 Q. He didn't respond to your messages actually, right, at
6 least these messages, correct?

7 A. That could be true. That's not what I see on the screen,
8 so yeah.

9 MS. BONJEAN: All right. Are we able to go to the
10 next page?

11 And honestly, Judge, this isn't even her number.
12 She's changed her number since, so I'm just going to keep
13 going.

14 MS. APPENTENG: Your Honor, the government still
15 objects as it can be used to identify her which we noted
16 earlier.

17 THE COURT: Yes, keep going. I don't see any
18 problem, if the number isn't in -- has no connection with her
19 anymore or even exists. So go ahead.

20 MS. BONJEAN: Okay. Go to the next one, Ashley,
21 please.

22 MS. COHEN: Can I do it non-redacted?

23 MS. BONJEAN: Yes. Go to the next page.

24 BY MS. BONJEAN:

25 Q. Then you sent him a text saying, "Hope to see you." And

1 then on -- he didn't respond. On October 15th, 2018, you
2 said, "My mom lost her mother. Check on her when you get a
3 moment, please." Right?

4 A. Yes.

5 Q. Because Mr. Kelly was close to your mother, right?

6 A. Yes.

7 Q. Even at this point; isn't that fair?

8 That's correct, right?

9 A. Yes.

10 Q. And he responded a little bit later, and he said, "Wow, I
11 just got this. Sorry to hear that. Send me her number,
12 please," which you did, right?

13 A. Yes.

14 Q. And he said, "I'm okay. How are you doing?"

15 And you said, "My heart is heavy, but it will get
16 better with time," right?

17 A. Correct.

18 MS. BONJEAN: The next page.

19 BY MS. BONJEAN:

20 Q. Then you asked him, "What have you been up to?"

21 And he gave you -- he said, "I understand you're
22 talking to the mirror right now, but you're right, it will all
23 get better if you really believe that like I do."

24 And you responded, "I can only imagine. I think
25 about you and pray for you often."

1 He responded, "And it's working. I appreciate it."

2 And you said, "I feel -- I feel it, so I know you
3 do." And then you said, "Let me know when you can catch up."

4 Go to the next page.

5 And you said, "Okay" -- and he said, "Okay, baby.
6 Just stay on my radar. It's all good."

7 And you said, "Will do."

8 And then you reached out to him on December 30th of
9 2018. "WYA," what does that mean?

10 A. "Where you at."

11 Q. And he didn't respond, right?

12 A. No.

13 Q. And then you said, "Hey." And go to the next page.

14 And then he says, "Happy new year, Shorty." "Shorty"
15 is one of your nicknames, right?

16 A. Yes.

17 Q. And you said, "Hey, happy new year. Peace, loving, and
18 blessings. You going to Oceans?"

19 What is Oceans?

20 A. It's a strip club.

21 Q. And he -- you said a strip club?

22 A. Yes.

23 Q. And what was being celebrated there, if you remember?

24 A. I don't remember, but I'm sure he was, like, hosting or
25 something like that.

1 Q. He was hosting?

2 A. I said I believe he was hosting or something like that.

3 Q. Okay.

4 A. Or I don't know if it was a birthday. I don't know
5 exactly.

6 Q. Well, except that he responded, "No. We at the studio.
7 You all can pull up if you want." Right?

8 A. Right.

9 Q. So he wasn't hosting anything at the strip club, right?

10 A. Apparently not, no.

11 Q. Okay. But you just assumed he was because it's a strip
12 club?

13 A. No. It was obviously something that may have happened in
14 the media or on social media that would have made me think
15 that he was or going to be there for some reason because
16 that's not a random question I would ask him.

17 Q. Except you had friends in common. You might think that he
18 might be some -- be going to this because you had friends in
19 common who were going, right?

20 A. No.

21 Q. Okay. So you just assumed he was going to Oceans even
22 though he says, "No, we all at the studio, you all can pull up
23 if you want," right?

24 A. Correct.

25 Q. And you said, "Cool. Thanks. I'll text you."

1 And then the next page -- or actually, you said,
2 "Hey," and then he responded, "Hey, you."

3 And you said -- again, this is January 3rd of 2019.
4 That was around the time -- actually, I think it's the exact
5 date that the docuseries premiered. Does that sound right?

6 A. Yes.

7 Q. Although I guess the fallout from it wasn't entirely aware
8 until a little bit later, correct?

9 A. I don't know what you mean by that. Can you rephrase the
10 question?

11 Q. Did you watch it on January 3rd, 2019?

12 A. No.

13 Q. All right. So you said, "What's up with you? You feel
14 like stopping by Pressure Point?"

15 Pressure Point's a studio?

16 A. Correct.

17 Q. And then you said, "Or can me, J Blaze, and her girl April
18 stop by your studio? Hey."

19 So you've asked him multiple times to hang out,
20 right, or to come by the studio?

21 A. Yes.

22 Q. And then he says, "Sorry, I just found this damn phone in
23 the couch in the studio. LOL. But it's all good. Let me
24 know the next time y'all going out, and depending on the
25 stupid shit, LOL, I'll come with." Right?

1 A. Correct.

2 Q. And if you go to the next page, and you said, "Who you
3 telling? Pressure Point, though, is a studio. I wasn't
4 asking you to go out, LOL, but that would be nice also."

5 And he said, "What be going on there?"

6 And you responded, "I work there in the evening.
7 It's J's husband's spot now. They had April, the mother
8 of" -- I won't say the names, someone's child -- "and she's
9 writing. Just thought it would be a nice vibe for you to pull
10 up. Come today. It's really private."

11 You wanted him to come to hang out, right?

12 A. Yes.

13 Q. That was just in January of 2019, right?

14 A. Yes.

15 Q. And then you hit him up again on January 3rd. "What you
16 doing tonight?" Do you see the top one?

17 A. Yes.

18 Q. And he says, "Studio session, but I will be there drinking
19 and chilling."

20 And you said, "Okay. I'm going to come through."

21 "Come through" means, "I'm going to stop by," right?

22 A. Correct.

23 Q. And he said, "Hit me around 8:30 or 9:00."

24 And then you texted him later and said, "Are you
25 there?" You said, "Need you to respond right away." Right?

1 A. Correct.

2 Q. "Hey, are you there? We're pulling up now." And then he
3 didn't respond, right?

4 A. Correct.

5 Q. And then later on, he said, "What happened?"

6 And you said, "I came. You never responded, and I
7 kept calling your phone while I was outside."

8 Do you remember that night?

9 A. Not exactly, but that sounds about right.

10 Q. And then he said, "Oh, my God, are you serious? Why not
11 do what everybody else does. Just come in. LOL. It's a
12 party. I can't hear my phone. People grabbing on me trying
13 to take pictures."

14 MS. APPENTENG: Your Honor, we're going to object to
15 these. Counsel showed the witness a first few pages. The
16 witness has not looked at any of these pages and identified
17 that these are conversations that she actually recalls. So
18 she has to do that first in order to lay the foundation for
19 these to be admitted and published.

20 MS. BONJEAN: I will ask her, Judge.

21 THE COURT: All right.

22 BY MS. BONJEAN:

23 Q. You recognize --

24 MS. APPENTENG: Your Honor, it's still published to
25 the jury.

1 THE COURT: Well, if it's published to the jury, it's
2 there, but you can ask her if these are hers, I guess.

3 BY MS. BONJEAN:

4 Q. You recognize those as your text messages with Robert,
5 right?

6 A. Yes.

7 MS. BONJEAN: Okay.

8 THE COURT: Okay.

9 MS. BONJEAN: Do you want to scroll through the rest
10 so she can recognize to the very end and then --

11 MS. COHEN: I can't do it with the redaction.

12 BY MS. BONJEAN:

13 Q. Okay. You don't have any reason to believe that these
14 aren't your text messages with him, right?

15 A. No.

16 Q. Okay. Let's keep going. And you said, "Yeah, I
17 definitely wasn't trying to walk up to the door and have
18 problems with everything going on. I get that. But wait, you
19 taking pictures now?" And then you said, "Just let me know
20 when you're free."

21 And then he says, "No, I say they were trying to take
22 pictures, but depending on who it is, I do take a picture here
23 and there. Why you say that?"

24 And you responded, "I'm just laughing because I know
25 you don't usually do that, so it was cool."

1 And he responded, "Well, here's something even
2 funnier. I didn't take one picture with nobody last night.
3 There were a lot of full moon woofers in there."

4 And you said, "Please call me and explain what a full
5 moon woofer is. LOL."

6 Okay. That was on January 5th of 2019. Do you see
7 that?

8 A. This isn't really legible up here, so if you want to zoom
9 in again --

10 Q. Sure.

11 A. -- that would be helpful.

12 MS. BONJEAN: Can you zoom in to the first half of
13 that, Ash?

14 BY MS. BONJEAN:

15 Q. Okay. Do you see that?

16 A. Yes.

17 Q. Okay. And then you see this message which is, "Thank you,
18 guys, for everything. I'm tired now."

19 That was January 6th of 2019, right?

20 A. Yes.

21 Q. And that was after the *Surviving R. Kelly* series came out
22 and he was pretty upset, right?

23 A. Yes.

24 Q. And then you responded with, "Wait. What? Are you okay?
25 I'm super worried about you." Right?

1 A. Yes.

2 Q. And you were worried about him, right?

3 A. Yes.

4 MS. BONJEAN: Are you able to do the next page? Keep
5 going.

6 BY MS. BONJEAN:

7 Q. And then you hit him with a lot of messages here where you
8 say, "Where are you? Don't do this. Respond to me." And you
9 said, "I long you don't let the devil win," but then you
10 corrected yourself which was, "I love you don't let the devil
11 win," right?

12 A. Correct.

13 Q. And then you were like, "Rob, exclamation point,
14 exclamation point, exclamation point."

15 And then the last page of this particular exchange or
16 series of exchanges is, and you said, "Trust me. I know
17 firsthand how you feel. You have my prayers. You need to
18 come to the studio. It's super safe and private. I have
19 something you should come remix."

20 And he responded, "Sorry. Okay. Major breakdown,
21 but now I'm on a major buildup."

22 And you said, "Yea, I had one too."

23 Do you remember that?

24 A. Yes.

25 Q. Okay. And that kind of relates to this series coming out

1 which upset you too, right?

2 A. Correct.

3 Q. You got -- people started hitting you up, harassing you,
4 right?

5 A. Yes.

6 Q. Lisa Van Allen was messaging you, correct?

7 A. Correct.

8 Q. You didn't want to be talking to her, did you?

9 A. I didn't have a reason to.

10 Q. Now, give me one second.

11 And because of all the attention you started getting
12 from *Surviving R. Kelly*, you actually changed your phone
13 number, didn't you?

14 A. Yes.

15 Q. And in your conversations with Robert, he wasn't -- he
16 wasn't trying to influence you to do anything? You guys were
17 just commiserate that this was coming back up, right?

18 A. Right.

19 Q. Okay. Now, I would like you to look at, this is just
20 three more pages of an exchange between -- well, you take a
21 look at it.

22 MS. BONJEAN: And put -- just for her.

23 MS. COHEN: They have to do it.

24 MS. BONJEAN: Just for -- okay. All right.

25 BY MS. BONJEAN:

1 Q. Now, regard the first three blue bubbles, okay, and look
2 at where it says, "278." Do you see that? Do you recognize
3 your new phone number there, the phone number you changed it
4 to?

5 A. Honestly, I don't.

6 MS. BONJEAN: Highlight the number.

7 THE WITNESS: I'm sorry. No, I can see it, but I
8 don't remember that as being my number. That's not one that
9 stands out.

10 BY MS. BONJEAN:

11 Q. Okay.

12 A. I'm not saying it wasn't. I just don't recognize it.

13 Q. Okay. And do you see the message there that says, "This
14 is," and you don't have to -- don't say it out loud, the name,
15 but it says, "This is Jane, my new number." Right?

16 A. Yes.

17 Q. Do you remember sending that message to Mr. Kelly on
18 January 7th of 2019?

19 A. Yes.

20 MS. BONJEAN: All right. Go to the next page. If
21 you could pull out, Ashley, so she can see those a little
22 more.

23 BY MS. BONJEAN:

24 Q. Do you see your messages to him?

25 A. Yes.

1 Q. Do you recognize these messages?

2 A. Yes.

3 Q. Do these messages appear to fairly and accurately reflect
4 your text exchanges with Mr. Kelly during this period of time?

5 A. Yes.

6 MS. BONJEAN: Okay. Go to the last page so we have
7 all of them, and if you could just pull it out so she can see
8 it.

9 BY MS. BONJEAN:

10 Q. And for this page, does your answer stand that you
11 remember these text messages?

12 A. Yes.

13 Q. Okay. That's not your number anymore; is that right?

14 A. Correct.

15 MS. BONJEAN: Okay. Let's go back to the first page.
16 Ashley, make sure you redact any reference to her real name
17 there. Okay.

18 Judge, this is just a three-page document. I would
19 move to admit it as Defendant Kelly 101.

20 THE COURT: Any objection?

21 It's admitted.

22 MS. APPENTENG: No, your Honor.

23 THE COURT: You may publish.

24 (Defendant Kelly Exhibit 101 received in evidence.)

25 BY MS. BONJEAN:

1 Q. Okay. You hit him up on January 7th, 2019. You said,
2 "This is Jane, my new number," right?

3 A. Correct.

4 Q. Go to the next page.

5 And then you sent a number of messages to him. The
6 first one is, "What you doing now," right?

7 A. Yes.

8 Q. "Happy Glo'day," correct?

9 A. Correct.

10 Q. "Glow day" is birthday, right?

11 A. Uh-uh.

12 Q. And was it his birthday?

13 A. Yes.

14 Q. You asked him, "What are you doing tonight?" This was on
15 January 11th, right?

16 A. I'm on January 9th.

17 Q. Right. But then you said, "What are you doing tonight" on
18 January 11th, correct?

19 A. I don't see that on my screen.

20 Q. I don't know --

21 A. Yeah.

22 Q. Okay. And then on January 11th, you said, "Trying to
23 reach. We need to talk. Very important." Correct?

24 A. Yes.

25 Q. And he's not responding; is that fair?

1 A. Yes.

2 Q. And then you said, "How is that I'm texting you at such a
3 critical time and you're not getting back to me," right?

4 A. Yes.

5 Q. And this is related to the *Surviving R. Kelly* series,
6 isn't it?

7 A. Yes.

8 Q. And then you said, "It's Jane, call me," on January 18th,
9 right?

10 A. Yes.

11 Q. And then keep going. And he said, "Damn, I did not
12 recognize this number."

13 And you said, "Been calling and texting you."

14 And he said, "I'm just waking up. I'm not used to
15 this new number, but I'm going to lock it in."

16 And then on February 14th of 2019, you said, "I need
17 to speak with you ASAP." Right?

18 A. Correct.

19 Q. And then you also said, "You need to call me right away,
20 or I'm making decisions on my own." Right?

21 A. Yes.

22 Q. And he didn't call you, did he?

23 A. I believe we did have a phone conversation after that, if
24 I can remember correctly.

25 Q. Okay. You didn't tell the U.S. Attorneys that when you

1 met with them, did you?

2 A. I'm not sure if they asked me that or not.

3 Q. You told the U.S. Attorneys that you hadn't had
4 communications with him at this point, right?

5 A. Right.

6 Q. Actually, and that would have -- you actually made false
7 statements to the U.S. Attorneys when you said that you were
8 on a friendly/not so friendly basis but you hadn't been in
9 contact with him, right?

10 A. I told them we were in contact.

11 Q. Let's see. I want to draw your attention to -- do you
12 remember speaking with the U.S. Attorneys on April 11th, 2019?

13 A. I'm not sure of the date, but I know that I did speak with
14 them, yes.

15 Q. And do you remember telling the U.S. Attorneys on that
16 date that your relationship with Kelly was friendly but not
17 friendly, that you contacted Kelly because it was his birthday
18 and contacted him after the documentary aired. And you
19 described him as not sounding well and seemed stressed, that
20 you contacted Kelly again after information circulated on the
21 news but was not successful.

22 You told them you weren't successful in contacting
23 him?

24 A. So again, the timeline of everything that you're asking, I
25 might not be completely accurate about in that sense, but we

1 did communicate about the documentary. So that's why I
2 answered it that way.

3 Q. Okay. But you just said that you believe that you had
4 conversations after you told him, "I'm going to do what I'm
5 going to do if you don't get in contact with me," right?

6 A. I just meant in reference to the documentary. I can't say
7 that it was that particular conversation after text messages.

8 Q. All right. And on February 14th when you were hitting him
9 up to try to get in contact with him, that's because the Cook
10 County State's Attorney's office was trying to reach you,
11 right?

12 A. Yes.

13 Q. And you didn't want to talk to the Cook County State's
14 Attorney's office, correct?

15 A. Correct.

16 Q. And that's because you had heard that Michael Avenatti --
17 do you know who Michael Avenatti is?

18 A. I don't.

19 Q. Okay. You had heard that there was a tape that had been
20 given to the Cook County State's Attorney's office, right?

21 A. Yes.

22 Q. And the first person you called was Robert, right?

23 A. Yes, because we were a team. Correct.

24 Q. In 2019, you were a team?

25 A. Well, I'm saying in reference to handling this situation,

1 whether we were on good terms or bad terms, I felt comfortable
2 enough to reach out to him because I was afraid. I didn't
3 know how to handle myself with the situation, so yes, I did.

4 Q. But he didn't contact you, right?

5 A. No.

6 Q. You knew that Kim Foxx had set up a hotline for anyone who
7 had information about R. Kelly, right?

8 A. No, I did not know that.

9 Q. But on February 14th, the Cook County State's Attorney's
10 office came, and you refused to speak to them, right?

11 A. Yes.

12 Q. And just like in 2002, you didn't want to have anything to
13 do with this, right?

14 A. Correct.

15 Q. And you were getting lots of attention, right?

16 A. Yes.

17 Q. And you were also getting offers and opportunities to, you
18 know, essentially appear in documentaries and other types of
19 media broadcasts. Would you agree?

20 A. Yes.

21 Q. And you went to Robert, and you told him that if he paid
22 you, you wouldn't cooperate with them, right?

23 A. That is not correct.

24 Q. You told him you were going to make the decision by
25 yourself if he didn't get back to you about whether he was

1 going to pay you?

2 A. The decision that I was going to make would have been to
3 cooperate with the authorities because I no longer wanted to
4 carry his lies.

5 Q. Right. But you had opportunity after opportunity to not
6 carry his lies, and when there's an investigation going on,
7 the first person you call is Robert, right?

8 A. That's what I was used to, you're right, yes.

9 Q. Right. I mean, and you didn't -- you didn't talk to the
10 Cook County State's Attorney's office when they came knocking
11 on your door, right?

12 A. No.

13 Q. You called Robert because you wanted to work out a
14 situation where he would pay you not to cooperate?

15 A. That is not correct.

16 Q. Uh-huh. And then he was arrested by law enforcement on
17 February 22nd, 2019. Do you remember that?

18 A. Yes.

19 Q. Okay. You weren't talking to him at this point, right?

20 A. Correct.

21 Q. And he made bail, right?

22 A. Yes.

23 Q. And he didn't try to talk to you either, correct?

24 A. No.

25 Q. He made no efforts to speak to you, can we -- right?

1 A. Right.

2 Q. You decided to cooperate at that point because -- not
3 because you wanted to get something off your chest all of a
4 sudden but because there were benefits involved in it,
5 correct?

6 A. No.

7 Q. I mean, you have a deal right now after this trial where
8 you're going to go tell your story. Your brother was posting
9 about that, right?

10 A. No, that's not correct.

11 Q. Okay. You don't have any -- you don't have any deals
12 right now that are -- is going to materialize after you
13 testify here in court, any that would enrich you?

14 A. No.

15 MS. APPENTENG: Objection, your Honor. There's no
16 foundation for any of these questions.

17 MS. BONJEAN: Okay. Well, actually, do you have --
18 we'll come back to it.

19 MS. APPENTENG: Your Honor, can you --

20 THE COURT: Well, if there is foundation, as an
21 officer of the court, you tell me there's a good-faith basis,
22 you may do it. Otherwise, I'll sustain the objection.

23 MS. BONJEAN: There is, Judge. Let me -- if you give
24 me one second.

25 BY MS. BONJEAN:

1 Q. Did your brother post a post on Instagram about how you
2 were so brave and that you had -- you were going to be a
3 spokesperson for Project Refine with a collaboration with Grey
4 Goose Vodka?

5 A. Yes.

6 Q. That's what I was talking about. Any other deals like
7 that?

8 A. So that's not a deal. That is my non-for-profit
9 organization that I just started. It's a mentoring program.
10 That's not for my profit. That's my passion for what I'm
11 doing in my personal life. It has nothing to do with a deal.
12 Grey Goose didn't give me any deals or I don't have anything
13 to look forward with them after what took place the other day.

14 Q. Okay. But there is a collaboration with Grey Goose Vodka,
15 right?

16 A. There was, yes.

17 Q. Any other types of -- I won't use the word "deal." Any
18 other types of opportunities you have after your testimony
19 here today?

20 A. No.

21 Q. Now, even though Robert had no communications with you
22 after you hit him up and said you were going to make your own
23 choice or something of that nature, you hadn't -- you went and
24 spoke with U.S. Attorneys with a person by the name of Fred
25 Crawford, right?

1 A. Yes.

2 Q. And you call him your godbrother, right?

3 A. Yes.

4 Q. What's a godbrother to you?

5 A. It's just a terminology that I use for how close he and I
6 are, how he's helped me out, how we've -- he gave me work.
7 Like, he's just a really close friend to my family, so I
8 consider him not a real brother but a godbrother.

9 Q. Okay. Is he older than you?

10 A. About a year, yeah.

11 Q. Okay. And on April 11th of 2019, you were interviewed by
12 an Assistant United States Attorney by the name of Angel
13 Krull?

14 A. Correct.

15 Q. And you became pretty close with her, correct?

16 A. I wouldn't say "close."

17 Q. You were -- I mean, you texted back and forth with her
18 from time to time, right?

19 A. Yes.

20 Q. All right. And during that first interview, you refused
21 to answer any questions about your interactions with
22 Mr. Kelly, right?

23 A. Yes.

24 Q. You even told the Assistant State's Attorneys during that
25 interview that you didn't know whether Kelly -- you weren't

1 sure whether Kelly had relations with young girls, right?

2 A. I don't remember the conversation you're speaking of
3 actually.

4 Q. If you had said that, according to you, that would be a
5 lie, right?

6 A. Correct.

7 Q. And you told that lie to the U.S. Attorneys on April 11,
8 2019, not because Robert told you to tell that lie, because
9 you decided to tell that lie, right?

10 MS. APPENTENG: Objection, your Honor. That
11 misstates her testimony. She says she doesn't recall what she
12 said on that day if it --

13 THE COURT: All right. Clarify --

14 MS. BONJEAN: Well, I can prove it up.

15 THE COURT: Clarify her answer then.

16 MS. BONJEAN: Sure. Shall I -- maybe we have -- let
17 me refresh her recollection first. Perhaps that will help.

18 THE COURT: Okay.

19 MS. BONJEAN: The April 11th, do you have it? And
20 just show it to her, though.

21 BY MS. BONJEAN:

22 Q. Okay. Do you see what appears to be a Department of
23 Homeland Security report in front of you?

24 A. Yes.

25 Q. Okay.

1 A. Can you zoom in a little bit?

2 MS. BONJEAN: Yeah, sure. I'll pull out the portion.

3 And about the fifth paragraph down, first pull out that for

4 her.

5 BY MS. BONJEAN:

6 Q. Okay. Can you see it a little closer now?

7 A. Yes.

8 Q. Okay. And at that point, you said you weren't comfortable
9 answering any questions?

10 A. Can you repeat that?

11 Q. Do you remember telling the U.S. Attorneys that you were
12 not comfortable answering any questions about your
13 interactions with Mr. Kelly, your sexual interactions with
14 Mr. Kelly?

15 A. Yes.

16 Q. And then on the next page about halfway down where it
17 says -- I'm not going to use your initials. I'm just going to
18 say Jane. And go ahead.

19 Do you see where it's highlighted there, that first
20 sentence?

21 A. Yes.

22 Q. Okay. Does that refresh your recollection about whether
23 you told the U.S. Attorneys you're not sure whether Kelly had
24 relations with other young girls?

25 A. Yes.

1 Q. Okay. And today, you're saying you do know that he had
2 relationships with other young girls, right?

3 A. Yes.

4 Q. So when you told the U.S. Attorneys that on April 11th,
5 2019, that was not true? That was a false statement, right?

6 A. Yes.

7 Q. Okay. So even on April 11th of 2019, you were making
8 false statements to the U.S. Attorney's office, right?

9 A. I didn't want to get other people involved so, yes, I did
10 do that. The girls that I did know, I did say that.

11 Q. Right. You told a false statement to the U.S. Attorney's
12 office which, in fact, is a federal crime, right?

13 MS. APPENTENG: Objection, your Honor, as to what the
14 witness may know in terms of legal conclusions about official
15 charges.

16 THE COURT: Overruled. She can give a general
17 answer.

18 BY MS. BONJEAN:

19 Q. And Mr. Kelly didn't tell you to tell that lie. You told
20 that lie, right?

21 A. Yes.

22 MS. BONJEAN: You can take that down.

23 BY MS. BONJEAN:

24 Q. You had your own reasons for not wanting to be truthful
25 with the authorities, right?

1 A. At that time, yes, not the other times.

2 Q. In fact, that was your first interview you gave about
3 anything related to Mr. Kelly since you spoke to, I guess, the
4 police in 2000, right?

5 A. I don't remember exactly but...

6 Q. Okay. And during this interview, the U.S. Attorneys made
7 it clear to you that it kind of wasn't your choice, that if
8 they subpoenaed you to testify before a federal grand jury,
9 you were going to have to show up on a subpoena, right?

10 A. Correct.

11 Q. All right. And then even in the next interview you had --
12 oh, by the way, during that interview, you refused to look at
13 any video, right?

14 A. Yes.

15 Q. In fact, until August 9th, like last week, you've never
16 seen the video, right?

17 A. Correct.

18 Q. So you have no idea what was shown at the criminal trial
19 in 2008, right?

20 A. Only through loose still images.

21 Q. You looked at some still images and that's when you denied
22 that it was you, right?

23 A. Yes.

24 Q. Okay. Now, on April 13th of 2019, you again met with the
25 U.S. Attorney's office, and you still didn't want to talk.

1 You were uncooperative. Right?

2 A. Can you repeat that for me?

3 Q. On April 13th of 2019 at a second interview, you still
4 were unwilling to speak with the U.S. Attorneys, correct?

5 A. Yes.

6 Q. And speak with them about Mr. Kelly and yourself and all
7 of that. That's what I'm talking about, right?

8 A. Yes.

9 Q. And again, that had nothing to do with Mr. Kelly; that was
10 all your decision making, right?

11 A. Yes.

12 Q. And on that day, you again refused to look at any videos
13 of yourself or discuss your relationship with Mr. Kelly,
14 right?

15 A. Right.

16 Q. And you weren't communicating with Robert at this time,
17 right?

18 And isn't it true that the U.S. Attorney's office
19 told you that you would be entitled to restitution if
20 Mr. Kelly was convicted, right?

21 A. Yes.

22 Q. And restitution is money, right?

23 A. Yes.

24 Q. And you are seeking restitution or will seek restitution
25 if he is convicted, correct?

1 A. I'm still undecided with that. No, that is not correct.

2 Q. You haven't decided whether you're going to seek
3 restitution?

4 A. No.

5 Q. But you know you have the right to seek restitution,
6 correct?

7 A. That is correct.

8 Q. And the U.S. Attorneys told you that you had the right to
9 seek restitution even before you ended up giving and
10 cooperating with them, right?

11 A. That is incorrect.

12 MS. APPENTENG: Objection, your Honor. We need a
13 sidebar on this.

14 (Proceedings heard at sidebar:)

15 MS. APPENTENG: Your Honor, your Honor granted a
16 motion in limine regarding not bringing into evidence or
17 questioning witnesses about punishment or anything that flows
18 from that if defendant is convicted, and this is treading into
19 that territory.

20 MS. BONJEAN: I'm not using it to highlight
21 punishment. It's motive, bias.

22 THE COURT: Okay. As long as you don't go beyond
23 that, that's okay. Thank you.

24 MS. BONJEAN: I'll go -- I'm done with that.

25 THE COURT: Okay.

1 MS. BONJEAN: Thank you.

2 MS. APPENTENG: Thank you, your Honor.

3 (Proceedings heard in open court:)

4 THE COURT: You may continue.

5 BY MS. BONJEAN:

6 Q. Okay. Now, on April 18th of 2019 is when you decided that
7 you would cooperate with the investigation, right?

8 A. Yes.

9 Q. Okay. So you testified yesterday that you just -- you
10 were just so tired of keeping the secret and you needed to get
11 it off your chest, but you took some time making that
12 decision, didn't you?

13 A. Yes.

14 Q. And you told the government that you would not -- you
15 would not cooperate unless they could give you an immunity
16 deal, right?

17 A. I did not tell them that, no.

18 Q. You asked for an immunity -- you asked for an immunity
19 deal through counsel, right?

20 A. Correct.

21 Q. And you asked for immunity for your parents too, right?

22 A. Yes.

23 Q. Now, if your parents didn't know anything and they were
24 innocents in all this, why did you ask for immunity for them?

25 A. Because with them not being truthful the first time as far

1 as what took place in 2008, I just wanted to make sure that
2 they were protected with telling the truth in moving forward.

3 Q. And I want to go back -- and they agreed to give you
4 immunity and protect your parents as well, right?

5 A. Correct.

6 Q. And I know your father has since passed, and I'm sorry for
7 that. But at the time that you were speaking with the
8 government in April of 2019, he was living, right?

9 A. Yes.

10 Q. You were introduced to Robert by your aunt, Stephanie
11 Edwards, who goes by the name Sparkle, right?

12 A. Correct.

13 Q. And you said that even though she was like ten years older
14 than you, you thought of her as a friend, right?

15 A. Yes.

16 Q. And actually, your relationship with her was pretty
17 inappropriate, wasn't it?

18 A. Yes.

19 Q. You were a young girl, and she told you about her
20 relationship with Robert, right?

21 A. Yes.

22 Q. And she even shared with you her sexual relationship with
23 Robert, right?

24 A. Yes.

25 Q. And she brought you to Robert's studio, correct?

1 A. Yes.

2 Q. And Robert's studio was a pretty bustling place, active
3 place, lots of artists coming in and out, right?

4 A. Yes.

5 Q. Musicians, right?

6 A. Yes.

7 Q. Managers, runners? It was a pretty vibrant place for
8 someone who was interested in music, correct?

9 A. Yes.

10 Q. And you enjoyed going there because you came from a
11 musical family and you yourself was a musician, right?

12 A. Yes.

13 Q. And you enjoyed seeing your aunt perform -- or I guess
14 perform is the wrong word, but like be in the studio making
15 music --

16 A. Yes.

17 Q. -- correct?

18 And you testified that it was Sparkle who instructed
19 you to develop this connection to Robert, right?

20 A. Yes.

21 Q. And you testified I think yesterday that she told you to
22 sit on his lap, rub his head, and ask him to be your
23 godfather, correct?

24 A. Correct.

25 Q. And is "godfather" like code for something because I'm

1 confused. Like, what is -- what does it mean to ask someone
2 to be your godfather?

3 A. Well, it -- again, if you look up to somebody that's
4 within our race, if you look up to somebody and you say that
5 term, like, more casually, that's just the way I feel like she
6 introduced me to be more, like, closer to him.

7 Q. I see. And to be clear, it wasn't Robert that asked you
8 to be his goddaughter, it was you that asked him to be his --
9 godfather because Sparkle had said you should do this, right?

10 A. Yes.

11 Q. And in looking back, you've said that you think Sparkle
12 was pushing Kelly on you; isn't that right?

13 A. Yes.

14 Q. In fact, you believe that Sparkle used you as bait with
15 Kelly? That's something you opined about, right?

16 A. Yes.

17 Q. And, of course, you know Sparkle has said that you are not
18 being truthful about this, right?

19 MS. APPENTENG: Objection, your Honor. It calls for
20 hearsay about what Sparkle said.

21 MS. BONJEAN: I'm not -- it's not offered for the
22 truth.

23 THE COURT: Yes, not for the truth. Overruled.

24 BY MS. BONJEAN:

25 Q. Did you see Sparkle's Tweet last night?

1 A. No.

2 Q. Okay. She said that you were lying because the
3 government's forcing you to testify, is --

4 MS. APPENTENG: Objection, your Honor. Relevance as
5 to what's happening right now. This is about the trial and
6 about the evidence that has already been introduced and will
7 be --

8 MS. BONJEAN: It goes to interest and bias --

9 MS. APPENTENG: -- on social media last night --

10 THE COURT: Wait, wait, wait. Hold on. Hold on.
11 Hold on.

12 MS. BONJEAN: If she made the statement to a -- she
13 made the statement to the public. If she had made it to an
14 investigator, it would be a non-issue. She made it -- she
15 made the statement.

16 MS. APPENTENG: Your Honor, we are talking about an
17 out-of-court statement that's being offered. Number one, the
18 witness has said she is not familiar with the statement.

19 THE COURT: Okay. This is -- would be for the truth,
20 so the motion -- the objection is granted. The motion --

21 MS. BONJEAN: That's fine, Judge. I'll move on.

22 BY MS. BONJEAN:

23 Q. And then after -- you testified yesterday that after this
24 godfather relationship came to be that things starting turning
25 romantic, sexual between you and Mr. Kelly, right?

1 A. Can you repeat the question?

2 Q. Yeah. That after he agreed to be your godfather, that was
3 the turning point from the relationship. It became
4 inappropriate at that point, right?

5 A. Yes.

6 Q. And you've testified that your parents were okay with this
7 because, you know, he was your godfather, right?

8 A. Correct.

9 Q. But he wasn't your godfather? Your parents knew that,
10 right?

11 A. Well, they accepted him as my godfather when he agreed to
12 be that.

13 Q. Okay. Just so just because you asked and he accepted,
14 that was -- that in and of itself had such meaning that your
15 parents were okay with you spending hours at the studio and
16 all of the things that you testified about?

17 A. I can't answer that for them.

18 Q. Okay. That's fine. I think we'll wait -- we'll keep that
19 for another witness.

20 Now, you have previously stated that Sparkle knew
21 about your relationship, right?

22 A. She knew what she encouraged me to do, yes.

23 Q. And she was angry with Kelly about some fallout over a
24 record deal, right?

25 A. Yes.

1 Q. And you have testified that your parents didn't know about
2 this relationship with Kelly until this interaction at the
3 hotel where there were all these tears and everyone was upset
4 and Mr. Kelly begged for forgiveness and he had all this
5 remorse. Do you remember that testimony?

6 A. Yes.

7 Q. Okay. But your parents were actually the subject of a
8 DCFS investigation in April of 2000, right?

9 A. Yes.

10 Q. And that -- and have you determined whether or not it was
11 Sparkle who initiated that DCFS investigation?

12 A. I'm not sure who it was.

13 Q. Okay. So when you say they didn't know, you're saying
14 they didn't believe, right?

15 A. Yes.

16 MS. APPENTENG: Objection, your Honor, as to what, if
17 she knows what her parents, what was in her parents' mind at
18 that time.

19 MS. BONJEAN: She testified yesterday at length
20 multiple times that her parents didn't know. She kept it a
21 secret. They had no idea.

22 THE COURT: Overruled.

23 BY MS. BONJEAN:

24 Q. Okay. So they did know about allegations, they just
25 didn't believe them. Is that right?

1 A. They asked me if it was true, and I said no.

2 Q. And they believed you, right?

3 A. Correct.

4 Q. And then shortly after this DCFS investigation, there was
5 also a police investigation, and you and your parents were
6 interviewed by a detective, Detective Everett. Do you
7 remember that?

8 A. Vaguely.

9 Q. Okay. And that interview happened in Oak Park?

10 A. Yes.

11 Q. And you denied any relationship with Mr. Kelly, right?

12 A. Uh-huh.

13 Q. And you've testified that you didn't want Robert to get
14 into trouble, right?

15 A. Correct.

16 Q. You were protecting him, correct?

17 A. Yes.

18 Q. You wanted to preserve the relationship too, right?

19 A. Yes.

20 Q. As inappropriate as it was, you wanted to hold onto that
21 relationship, right?

22 A. Yes.

23 Q. And then at that point, the relationship or the -- strike
24 that.

25 At that point, the investigation was closed as

1 unfounded, and that was that, right?

2 A. Yes.

3 Q. And despite all of that, you continued to spend
4 significant amounts of time with Mr. Kelly, right?

5 A. Yes.

6 Q. And I think you said he got you a black PT Cruiser for
7 your birthday, and your parents were happy for you?

8 A. Yes.

9 Q. Did your parents allow you to travel with Robert
10 unsupervised when you were under 17?

11 A. No. They would think that I was with him and his wife.

12 Q. So they did allow you to but -- so they did allow you to?

13 A. That's not unsupervised, so I don't know what you mean by
14 that exactly.

15 Q. Oh, I see. So I meant unsupervised by them. But you're
16 saying that supervised by who? Kelly's wife?

17 A. Yes.

18 Q. You testified that you had sex with Robert hundreds of
19 times between the ages of, I think, 14 or 17 and 18. Is that
20 right?

21 A. Yes.

22 Q. That means you were spending a great deal of time with
23 him, right?

24 A. Yes.

25 Q. And again, you're still adamant that your parents at that

1 point were blissfully unaware of this relationship, right?

2 A. Yes, because they thought I was around the family. They
3 didn't know I was spending time with him separately, correct.

4 Q. Now, Jane, you testified that you had a number of
5 threesomes with your friend Pinky and your friend Brittany
6 when you were under 17 years of age, right?

7 A. Yes.

8 Q. And you've testified that Robert was absolutely adamant
9 that your relationship be secret, right?

10 A. Yes.

11 Q. But according to you, he entrusted this secret with a
12 bunch of other high schoolers, right?

13 A. I would say those two people, not a bunch of other high
14 schoolers.

15 Q. Two other high schoolers, is that your testimony?

16 A. Yes.

17 Q. Okay. But -- so he didn't trust his closest confidants,
18 but you and a couple high schoolers, he was -- he was willing
19 to, you know, engage in this conduct and entrust the secret
20 with three high schoolers, right?

21 A. Yes.

22 Q. And you did have threesomes with Pinky and Brittany, but
23 it wasn't until after you were over 17 years of age, right?

24 A. No. It was before.

25 Q. And was that before -- and when you had threesomes with

1 Robert and his wife, was that over 17 years of age too?

2 A. Yes.

3 Q. Now, you turned 17 on September -- remind me.

4 A. I don't remember when I turned 17.

5 Q. Well, okay. It was 2001. Does that sound right?

6 A. It sounds about right.

7 Q. It was before you testified before the grand jury, right?

8 A. Yes.

9 Q. And then in 2002, you learned that someone had provided a
10 copy of the tape that you are calling or we were calling Tape
11 1 yesterday, right, to a reporter, right?

12 A. Yes.

13 Q. And that person is Sparkle, right?

14 A. Can you repeat the question?

15 Q. That person that provided the tape was Sparkle?

16 A. That's what I understand, yes.

17 Q. And isn't it true that Sparkle made copies of that tape?

18 A. That's what I understand, yes.

19 Q. Do you know whether Sparkle's ever been indicted for her
20 conduct?

21 A. No.

22 MS. BONJEAN: All right.

23 THE COURT: Is this a good time to take a recess?

24 MS. BONJEAN: Sure.

25 THE COURT: Okay. We'll take a 15-minute recess.

1 (Recess from 11:30 a.m. to 11:51 a.m.)

2 THE COURT: Please be seated.

3 Ms. Bonjean, you may conclude your cross.

4 MS. BONJEAN: Thank you, your Honor.

5 BY MS. BONJEAN:

6 Q. Jane, I want to go back to, just for reference, after this
7 video goes into the public, that must have been super
8 upsetting to you, right?

9 A. Yes.

10 Q. You said it's embarrassing, right?

11 A. Correct.

12 Q. And it was after that happened that you and Robert and
13 your parents had this emotional meeting in Oak Park, right, at
14 a hotel. Is that correct?

15 A. Yes.

16 Q. And you said that Robert broke down. Your father, you
17 know, was upset and that your father told Robert, "Man, I
18 can't help you," right?

19 A. Yes.

20 Q. And Robert was apologetic, correct?

21 A. Yes.

22 Q. He didn't threaten your parents, right?

23 A. No.

24 Q. He was deeply remorseful during this meeting, right?

25 A. Yes.

1 Q. And you were upset because you didn't want the
2 relationship to end either, right?

3 A. Right.

4 Q. And again, at this point you're 17 years old; and at that
5 point, you didn't need to hide your relationship anymore,
6 correct?

7 A. That was not to my understanding at the time. I didn't
8 know that.

9 Q. Okay. But you didn't -- certainly didn't want the
10 relationship to end, right? And you didn't want your parents
11 to get in any type of trouble for anything, right?

12 A. Right.

13 Q. You didn't want to get into trouble for anything, correct?

14 A. Correct.

15 Q. You didn't want Robert to be in trouble for anything,
16 right?

17 A. Right.

18 Q. And Robert -- well, it was -- who came up with the idea,
19 as far as you know, that maybe when this video was getting
20 released into the public and was that -- I'm sorry -- that
21 perhaps it was a good time to get out of town for a few weeks?

22 A. Robert.

23 Q. Okay. And did he say -- and I think you testified
24 yesterday that he said, "Go and, you know, think on it,"
25 because your dad was like, "I can't help you, man," right?

1 A. Right.

2 Q. And you and your parents then went to the Bahamas and
3 Mexico, right?

4 A. Yes.

5 Q. And this was supposed to be this time of reflection about,
6 you know, what course you were going to take, right?

7 A. Correct.

8 Q. You said you were in contact with Robert, but Robert
9 didn't go on this trip with you, correct?

10 A. Yes.

11 Q. That's correct, right?

12 A. That is correct.

13 Q. Okay. And it was during this period of time that you also
14 got a tattoo with Robert's name or initial; is that correct?

15 A. It was with his name, yes.

16 Q. And you were very hopeful for a future relationship with
17 Robert at that point?

18 A. Yes. I did believe his promises, yes.

19 Q. Okay. And you did have a future relationship with him?
20 You ended up being with him for another ten years, right?

21 A. Yes.

22 Q. And the trip was a couple of weeks. Is that about right?

23 A. Yes.

24 Q. Okay. And then you came back. The problem didn't go
25 away, right?

1 A. Right.

2 Q. Your parents still had to be interviewed by the police;
3 isn't that right?

4 A. I can't remember.

5 Q. And, in fact, they were interviewed by the police after
6 they came back from that trip, correct?

7 A. I can't remember how their setup was exactly. I'm not
8 sure.

9 Q. Well, let me see if you remember this. Do you remember
10 being -- do you remember going with your parents for an
11 interview with Chicago police detectives?

12 A. Yes.

13 Q. And do you remember not speaking to them? You had a
14 lawyer, and you did not make any statements to the Chicago
15 Police Department at that time?

16 MS. APPENTENG: Objection, your Honor, as to
17 foundation as to the timeframe, if we could just specify when
18 we're talking about.

19 BY MS. BONJEAN:

20 Q. Sure. I can put a -- I'm talking about March of 2002.

21 Do you remember sitting down or going to the police
22 station with your parents?

23 A. Yes.

24 Q. Okay. And you did not speak to Detective Everett at that
25 time, correct?

1 A. I don't remember not speaking.

2 Q. Okay. Do you remember speaking?

3 A. I don't remember speaking or not speaking.

4 Q. Got you. Do you remember your parents being interviewed?

5 A. I actually don't remember that interaction all the way.

6 Q. Okay. But you do remember that you had counsel and your
7 parents had counsel before you went there, right?

8 A. Yes.

9 Q. And you consulted with your counsel before this interview,
10 fair?

11 A. Yes.

12 Q. And then it wasn't for a little bit, maybe like a month or
13 so later that you all received subpoenas to testify before the
14 grand jury, right?

15 A. Right.

16 Q. And you had counsel for that also, correct?

17 A. Yes.

18 Q. And you consulted with your counsel before you testified
19 before the grand jury, correct?

20 A. Yes.

21 Q. And you've testified today and yesterday that you
22 testified untruthfully, right?

23 A. Yes.

24 Q. Because you wanted to protect Robert, right?

25 A. Yes.

1 Q. You were in love with him, right?

2 A. Correct.

3 Q. And also you didn't want this really terrible,
4 embarrassing tape to be associated with you, right?

5 A. Correct.

6 Q. And you wanted to protect your parents too, right?

7 A. Yes.

8 Q. Because there had already been a DCFS investigation and a
9 police inquiry before, right?

10 A. Right.

11 Q. So you had a number of your own reasons why you didn't
12 want this to come out, legitimate reasons, correct?

13 A. Correct.

14 Q. And your parents too testified untruthfully, right, as far
15 as you know?

16 A. Yes.

17 Q. And they had their own reasons for not wanting it to come
18 out too, correct?

19 MS. APPENTENG: Objection, your Honor. Again, her
20 testifying about what her parents' reasons were calls for
21 speculation.

22 THE COURT: Well, it's pretty -- her own reasons
23 obviously. Overruled. It can stand.

24 BY MS. BONJEAN:

25 Q. You had conversations with your parents about this, right?

1 A. Yes.

2 Q. And your mom did not want this to be out there, right?

3 A. Correct.

4 Q. And your dad too, correct?

5 A. Uh-huh.

6 Q. Okay. Now, and it's not until, fast forward to, I guess,
7 now 2019 that you are actually now coming forward and telling
8 the truth about this, right?

9 A. Yes.

10 Q. And that's under an immunity deal with the government,
11 correct?

12 A. Correct.

13 Q. And your immunity deal doesn't just cover you for your
14 past perjury, right? It covers you really for anything that
15 might be related to Mr. Kelly or really anything related to
16 your conduct as well, right?

17 A. Can you repeat that?

18 Q. Hold on one second. Let me pull it up.

19 First of all, you had your own counsel that
20 negotiated on your behalf, right?

21 A. Yes.

22 Q. And your immunity deal basically says that nothing you
23 say, nothing you reveal during the course of your interviews
24 with the government can be used against you in any way, right,
25 as long as you come in here and tell the truth, right?

1 A. Yes.

2 Q. And they are the arbiters of what the truth is? It's the
3 truth as determined by the government, correct?

4 A. I'm telling my truth. I don't know how it's determined
5 after that.

6 Q. Well, I understand you're telling your truth, but it's the
7 government that gets to decide whether your truth is the
8 truth, right?

9 MS. APPENTENG: Objection, your Honor. It calls for
10 speculation from that witness.

11 THE COURT: Well, it's what her understanding is, but
12 I think she's answered it. She doesn't know.

13 MS. BONJEAN: Well, in your -- I'm going to mark as,
14 what are we at? Defendant Kelly 103?

15 MS. COHEN: 102.

16 BY MS. BONJEAN:

17 Q. 102. I'm going to ask that you look at the screen, Jane.
18 Do you recognize this document?

19 A. Yes.

20 Q. Okay. And if you'd read the first paragraph to yourself,
21 and then I'm going to ask you some questions. This is to help
22 refresh your recollection.

23 A. Okay. Thank you.

24 Q. Let me know when you're finished.

25 A. I'm just reading the first paragraph, correct?

1 Q. Yeah, for now.

2 A. Okay. I'm done.

3 Q. Okay. So it was your attorney who advised the government
4 that you had information that may tend to incriminate you,
5 right?

6 A. Yes.

7 Q. All right. And the government agreed that none of that
8 information that you relayed to them will -- in connection
9 with this case, so anything you tell them will be used against
10 you in any criminal prosecution. Isn't that right?

11 A. Yes.

12 Q. And they're not -- even -- they even promise that no leads
13 or information directly or indirectly derived from this
14 investigation could be used against you in a criminal
15 prosecution, correct?

16 A. I'm not exactly sure what that means.

17 Q. Well, you signed this document, correct?

18 A. I did.

19 Q. You presumably understood it when you signed it, right?

20 A. I -- yes. If you can just rephrase how you're saying it
21 so I can understand.

22 Q. Sure. Why don't I -- look at the second paragraph, and if
23 you'd peruse it. It probably was a bad question on my part,
24 so let me -- go ahead and read, and then I'll ask it.

25 A. Okay.

1 Q. So they've agreed that no leads or information directly or
2 indirectly derived from the information you provide can be
3 used against you in some type of criminal prosecution, right?

4 A. Yes.

5 Q. And the government didn't specify just perjury, they --
6 the agreement is broader than that. It's pretty much anything
7 can't be used against you in a criminal prosecution, right?

8 A. Yes.

9 Q. And then if you could, read the last paragraph there to
10 yourself where it starts, "As stated." Let me know when
11 you're finished there.

12 A. Okay.

13 Q. So the government says you have to tell truthful and
14 complete testimony, but in the event that they determine that
15 you violated this provision or they determined that you didn't
16 give truthful testimony, then there would be consequences for
17 that, right?

18 A. Yes.

19 Q. Okay. So it's them making that determination, not you,
20 right?

21 A. Correct.

22 MS. BONJEAN: Okay. You can take that down.

23 BY MS. BONJEAN:

24 Q. You testified yesterday that your parents weren't able to
25 work when the tape came out, but your identity wasn't

1 associated with them. Why weren't they able to work?

2 A. Because Robert asked them not to work because he didn't
3 want attention being drawn to them which is why we took the
4 vacation as well.

5 Q. You took a vacation for two weeks. It wasn't prosecuted
6 for six years later, right?

7 A. I'm sorry?

8 Q. You took a vacation for two weeks --

9 A. Uh-huh.

10 Q. -- right after the case kind of blew up, and he did that
11 so you could go collect your thoughts and give some
12 consideration, right?

13 A. Yes.

14 Q. Okay. But the case wasn't prosecuted for another six
15 years, right?

16 A. Right.

17 Q. And it's your testimony that Robert said don't work for
18 six years?

19 A. No. My dad was still a musician during that time, so he
20 was still working.

21 Q. Right. So he was working, correct?

22 A. Yes.

23 Q. In fact, he was working on some of Robert's albums, but he
24 was also working on other things as well, right?

25 A. Yes.

1 Q. And there's nothing about your parents working that would
2 draw attention to this because nobody knew who your parents
3 were in connection with this, right?

4 A. That's not true.

5 Q. Okay. How would your parents working bring attention to
6 this prosecution?

7 A. Because a lot of people knew that my father was a musician
8 for Mr. Kelly, worked closely with him, that he was my
9 godfather. We were in a local city. There were rumors, names
10 released, etcetera.

11 Q. Okay. And there was rumors swirling, and it's your
12 position that Robert told your parents don't work because
13 there's rumors out there?

14 A. Initially when things first started happening, yes.

15 Q. Okay. But your parents did work? Like, you went on
16 vacation and then they came back and you picked up your lives,
17 correct?

18 A. Eventually, yes.

19 Q. And that was all before the 2008 prosecution, correct?

20 A. Yes.

21 Q. A couple other things. I want to show you a picture
22 before we -- do you recognize that person?

23 A. Yes.

24 Q. Who do you recognize that to be?

25 A. Robert's wife.

1 Q. Okay. Does that fairly and accurately depict Robert's
2 wife at various, I guess, ages?

3 A. Yes.

4 Q. You knew her for many, many years. You lived under her
5 roof, right?

6 A. Yes.

7 MS. BONJEAN: Okay. I would ask that it be admitted
8 and that it be published to the jury.

9 MS. APPENTENG: No objection.

10 BY MS. BONJEAN:

11 Q. Oh, yes. I'm sorry. This was his ex-wife too, right?

12 A. Yes.

13 Q. Okay. He's not married to her anymore?

14 A. Correct.

15 Q. In fact, he got divorced while he was with you, right?

16 A. Yes.

17 Q. To be with you, correct?

18 A. That wasn't my understanding. It was because their
19 marriage didn't work out.

20 Q. All right. And you've testified that when you lived under
21 her roof as an adult that there was sexual interaction between
22 you and her and Mr. Kelly, right?

23 A. Correct.

24 MS. BONJEAN: You can take that down.

25 BY MS. BONJEAN:

1 Q. And I want to show you a picture of -- and do you
2 recognize this woman?

3 A. Yes.

4 Q. And who is this woman?

5 A. My Aunt Stephanie.

6 Q. Also known as Sparkle?

7 A. Correct.

8 Q. Does this fairly represent Sparkle at various ages?

9 A. Yes.

10 MS. BONJEAN: Okay. I'd ask that it be admitted and
11 published.

12 MS. APPENTENG: No objection.

13 MS. BONJEAN: Okay. And this is --

14 THE COURT: No objection, it's admitted. You may
15 publish.

16 MS. BONJEAN: Thank you.

17 (Said exhibit received in evidence.)

18 BY MS. BONJEAN:

19 Q. This is the Sparkle that you've said that she encouraged
20 you to ask Robert to be your godfather and had you sit on his
21 lap and rub his head and all that, right?

22 A. Yes.

23 Q. Do you speak with Sparkle today?

24 A. No.

25 MS. BONJEAN: You can take that down.

1 BY MS. BONJEAN:

2 Q. And finally, do you recognize this woman?

3 A. No.

4 Q. Okay. This is Government Exhibit 106. Would you agree
5 that it appears to be a woman with a scarf that is in a
6 checkered pattern?

7 A. Yes.

8 Q. And you don't have any idea who this woman is, right?

9 A. No.

10 MS. BONJEAN: Okay. You can take that down. No,
11 take it down. She doesn't know who it is.

12 BY MS. BONJEAN:

13 Q. You testified yesterday that sometimes -- sometimes, and I
14 think you said in connection with Video 2, that Robert gave
15 you Cristal to drink; is that right?

16 A. I can't remember the number of the video, but that did
17 happen, yes.

18 Q. And you said you watched all of the videos; is that right?

19 A. I did, yes.

20 Q. Did you ever see any Cristal in any of those videos?

21 A. Like the bottle or the glasses?

22 Q. Yes, anything.

23 A. Yes. I was drinking out of glasses in one of the videos,
24 yes.

25 Q. It was -- it was a tumbler of -- it was like a big plastic

1 cup, right?

2 A. It was a glass cup.

3 Q. It wasn't like a champagne glass, right?

4 A. No.

5 Q. Okay. And it's your testimony that it wasn't juice or
6 water?

7 A. Correct.

8 Q. It was just a big cup of Cristal?

9 A. Correct.

10 Q. And since you've been cooperating or, you know, agreeing
11 to be cooperative with the government, you've also asked the
12 government for help just even in the last couple of years,
13 right?

14 A. Yes.

15 Q. Assistance, they've given you money, correct?

16 A. When I'm on their behalf, yes.

17 Q. Yes. They have provided you with money since you've been
18 cooperating with their investigation, right?

19 A. No.

20 Q. No?

21 A. I mean, if you can be a little bit more specific, I can
22 answer better, but they don't just give -- hand me money.

23 Q. They've given you benefits, right?

24 A. Yes.

25 Q. Okay. What have they given you since the beginning of

1 this investigation as a benefit?

2 A. As a benefit, they've helped me with housing, and they've
3 just, if I have to travel to come for any reason, like just
4 for food or travel expense or parking or something.

5 Q. Anything else?

6 A. Not that I can think of, no.

7 Q. And when you say they helped you with housing, they helped
8 you get Section 8 housing, didn't they?

9 A. Yes.

10 Q. And Section 8 housing is a pretty good benefit, isn't it?

11 A. It is.

12 Q. And you can have that for a lifetime, right?

13 A. I'm not aware of that.

14 Q. You can pass that on to people in your family even, right?

15 A. I didn't know that.

16 Q. Section 8 housing isn't easy to get, is it?

17 A. No.

18 Q. And they've -- they paid your downpayment for the Section
19 8 housing?

20 A. Yes. They helped me with living because I was not working
21 at the time, and I was not able to -- I was afraid for my
22 safety with cooperating with them, so that was a way of them
23 making sure my son and I were secure.

24 Q. Speaking of your son, you sent pregnancy photos of
25 yourself to the former U.S. Attorney, right?

1 A. Yes, I did.

2 Q. That was AUSA Krull?

3 A. Are you referring to Angel?

4 Q. Angel, yes.

5 A. Yes, yes.

6 Q. You were on that type of level of familiarity that you
7 sent her your -- like, was it a bare belly?

8 A. I'm not exactly sure what picture I sent her, but they
9 have seen me in a pretty negative light, so I thought it was
10 okay to share something positive with them.

11 Q. And she said you were glowing, you looked lovely, right?

12 A. Yes.

13 Q. And she calls you by your nickname, Boss Baby, right?

14 A. Yes. She has referred to me as that before, but that's
15 not what she calls me.

16 MS. BONJEAN: Give me one second.

17 (Pause.)

18 MS. BONJEAN: One last area, your Honor.

19 I'm going to have you look at, I guess we're at
20 Defendant's Exhibit 105. Just show it to the witness, please,
21 first.

22 BY MS. BONJEAN:

23 Q. I'm going to scroll through this and ask you to look at it
24 and tell me if you recognize these text exchanges. Okay?

25 A. I'm done.

1 Q. Go to the next page.

2 A. Okay.

3 Okay.

4 Okay.

5 Okay.

6 Okay.

7 Okay.

8 Okay.

9 Okay.

10 Okay.

11 Okay.

12 Okay.

13 Okay.

14 Okay.

15 Q. Almost finished.

16 A. Okay.

17 Okay.

18 Okay.

19 Okay.

20 Q. I think that's the last page.

21 A. Okay.

22 Okay.

23 Q. Okay. Do you recognize these text exchanges with the
24 Assistant State's Attorney Angel Krull?

25 A. Yes.

1 Q. Okay. Do they fairly and accurately represent your
2 messages with the former State's Attorney -- when I say
3 "former," I mean she's not on this team right here, right?

4 A. Correct.

5 Q. And do they fairly and accurately depict those messages?

6 A. Yes.

7 MS. BONJEAN: Okay. Your Honor, at this time I'd
8 like to admit them and publish them. I just have three
9 questions I want to ask her about it.

10 THE COURT: All right. Any objection?

11 They're admitted. You may publish.

12 (Defendant Kelly Exhibit 105 received in evidence.)

13 BY MS. BONJEAN:

14 Q. Okay. Go to the first page. The Assistant State's
15 Attorney has -- this has you in her phone as "Boss Baby,"
16 right?

17 A. Yes.

18 Q. Is that what she called you?

19 A. She referred me to that sometimes, yes.

20 Q. Okay. And I see that you were using emojis to -- I guess
21 a heart emoji to communicate that you loved her message or
22 something like that?

23 A. Yes.

24 Q. And is this how you communicated pretty typically with the
25 U.S. Attorney?

1 A. Yes.

2 Q. On one other page, she referred to you as BB, right?

3 A. Correct.

4 Q. That's like Boss Baby?

5 A. Yes.

6 Q. And then if you go to the last page, you asked her, "Did
7 Amalia share the pictures?" What pictures were you referring
8 to?

9 A. My pregnancy photos.

10 Q. Okay. And the Assistant U.S. Attorney says, "Just one.
11 The green outfit. So beautiful. You are glowing. I'm very
12 happy and excited for you." Right?

13 A. Yes.

14 Q. Okay. And were these professionally taken pregnancy
15 photos?

16 A. Yes.

17 Q. Okay. And again, this was the nature of your relationship
18 with the U.S. Attorney when you were -- leading up to this
19 trial, right? This reflects that, correct?

20 A. Yes.

21 Q. You talked on the phone too?

22 A. Yes.

23 Q. Okay. And did you have the conversations about
24 restitution with her on the phone?

25 A. No, not that I can remember over the phone.

1 Q. Who did you speak to about the restitution?

2 A. The restitution was -- I actually can't remember how it
3 started out. From what I think I remember is that we were in
4 person when that was presented to us.

5 Q. Okay. And she presented it to you, right?

6 A. Yes.

7 MS. BONJEAN: Okay. And I have one -- and I'm
8 finished, Judge.

9 BY MS. BONJEAN:

10 Q. And when you say "us," who are you talking about?

11 A. I'm sorry. Can you refresh my memory on when I said that?

12 Q. You just said "she was talking to us."

13 A. Well, that was other people who were in the room as -- at
14 the time.

15 Q. You're talking about your friends, right?

16 A. No. What friends? I'm confused.

17 Q. Who is the "us"?

18 A. So there were multiple people in the room with Angel at
19 the time that she and I had the conversation, so I'm referring
20 to everyone who was in the room at the time.

21 Q. And I'm asking who the "us" is.

22 A. Well, me and my parents.

23 Q. Okay. So your parents also are due for restitution as
24 well, right?

25 A. No. You're confusing me. I'm sorry. I'm thinking you're

1 talking about the immunity letter, not restitution.

2 Q. Okay.

3 A. I got confused. I apologize.

4 Q. It's all right.

5 A. Can you repeat that for me so I can --

6 Q. Sure.

7 A. -- answer clearly?

8 Q. Yes. Who told you about the restitution that you were
9 entitled to?

10 A. Angel.

11 Q. Okay. And when did that conversation take place?

12 A. That was in person during one of our meetings. My lawyer
13 was actually involved in that conversation as well.

14 Q. Okay. Anyone else?

15 A. Not that I can remember. I'm not sure, though.

16 Q. And how much time was spent talking about restitution?

17 A. I didn't understand it, so it wasn't much time spent on it
18 at all. I actually got clarity through my lawyer.

19 Q. Got you. Okay. And finally, just for clarity's sake, you
20 also were provided from the U.S. Attorney's office flights to
21 and from Florida, right, with your cousin, correct?

22 A. Yes. She was there with me, yes.

23 Q. And you got expenditures for hanging out in Florida,
24 right?

25 A. No. At the time, I was afraid of my safety, so they let

1 me decide where I would like to go and be away from everything
2 that was getting ready to take place. That's correct.

3 Q. Well, when was this?

4 A. This was during the arrest, I believe.

5 Q. So -- well, this was in June of 2019, right?

6 A. That sounds about right.

7 Q. Mr. Kelly was arrested before June of 2019, right?

8 A. I'm not sure.

9 MS. APPENTENG: Objection, your Honor, in terms of
10 what arrest we're talking about. Two arrests have been talked
11 about this case, in 2002 and in this case.

12 MS. BONJEAN: Okay. After --

13 THE COURT: Clarify it.

14 MS. BONJEAN: I'm sorry?

15 THE COURT: Clarify it then.

16 BY MS. BONJEAN:

17 Q. After Mr. Kelly was arrested in 2' -- the early part of
18 2019, he made bond, right?

19 A. Yes.

20 Q. Are you aware of that?

21 A. Yes.

22 Q. He didn't make any contact with you, correct?

23 A. No.

24 Q. That's correct, right?

25 A. That is correct.

1 Q. Okay. And so you, because of Mr. Kelly being arrested,
2 you were able to go to Florida on vacation with your cousin to
3 get out of --

4 A. It wasn't --

5 Q. -- to get out of Dodge, right?

6 A. It wasn't just about that. With the attention, with
7 everything happening with the documentary and people were
8 approaching me and my family and me changing numbers and
9 every -- all of the attention that that brought, that was the
10 reason why I left the state.

11 Q. Okay. And then your father got some benefits too, right?

12 A. My parents were also going through the same thing that I
13 was, so they did leave town as well.

14 Q. And the government paid for that, correct?

15 A. I'm -- I believe so, yeah.

16 Q. And then we talked about ultimately you got assistance
17 with your Section 8 housing, but that's locally, right?

18 A. Yes.

19 MS. BONJEAN: All right. I think that might be it,
20 your Honor. Give me one second.

21 THE COURT: Is that it?

22 Redirect?

23 MS. APPENTENG: Thank you, your Honor. Your Honor,
24 we'd ask if the defense counsel can pull up the last exhibit
25 they just had on the screen.

1 MS. COHEN: The text messages?

2 MS. APPENTENG: Yes, please.

3 MS. BONJEAN: The Boss Baby text messages?

4 MS. APPENTENG: Yes.

5 REDIRECT EXAMINATION

6 BY MS. APPENTENG:

7 Q. Jane, can you see that on the screen?

8 A. Yes.

9 Q. In those text messages, what are you talking about?

10 A. I'm just going to reread it. One second.

11 Q. Yep.

12 THE COURT: The whole thing or just this one
13 screenshot?

14 MS. APPENTENG: This screenshot.

15 BY THE WITNESS:

16 A. We're talking about scheduling a time where I needed to
17 come in to speak with the A0.

18 BY MS. APPENTENG:

19 Q. Can you go to the next page, please?

20 Are you talking about scheduling generally here too?

21 A. Yes.

22 Q. Can you go to the next one, please? You can go to the
23 next page.

24 And what are you talking about here? Scheduling
25 again?

1 A. Yes.

2 Q. Can you go to the next?

3 Again, what are you -- what are your messages about
4 here?

5 A. Scheduling.

6 Q. Can you go to the next message, please?

7 Again, what are you talking about here?

8 A. The trial date.

9 Q. The upcoming trial date that -- the trial we're in right
10 now, is that -- for this case?

11 A. Correct.

12 Q. Can you go to the next message, please?

13 Again, what are you talking about there?

14 A. Trial.

15 Q. Can you go to the next one, please? Are you talking about
16 schedule -- what the next court dates and updates in this case
17 are?

18 A. Yes.

19 Q. Can you go to the next message, please?

20 Again, are you talking about scheduling in these text
21 messages?

22 A. Yes.

23 Q. Can you go to the next message?

24 Again, are you talking about scheduling a time to
25 meet?

1 A. Yes.

2 Q. Can you go to the next message, please?

3 Again, are you talking about scheduling a time to
4 meet?

5 A. I'm sorry. Can you repeat that?

6 Q. You're talking about scheduling a time to meet; is that
7 right?

8 A. Yes.

9 Q. Can you go to the next one, please?

10 A. Yes.

11 Q. Go to the next message.

12 You can go to the next one.

13 Go to the next message, please.

14 So far, the message that we're looking at is talking
15 about scheduling?

16 A. Yes.

17 Q. And Angel getting on the line with Amalia or Melissa so
18 that she can talk with you?

19 A. Correct.

20 Q. Can we go to the next message, please, and the next one.

21 It says a name there that says "Amalia." Who is
22 Amalia?

23 A. She works with Homeland Security.

24 Q. And it says, "Chris." Who is Chris?

25 A. My attorney.

1 Q. And the other message said a Melissa. Who is that?

2 A. She works with Homeland Security as well.

3 Q. And they're agents that were working on this case?

4 A. Correct.

5 Q. Can you go to the next message, please?

6 Okay. Go to the next one, please.

7 And these are the -- what pictures are you talking
8 about here?

9 A. My pregnancy photos.

10 MS. APPENTENG: I believe that's the last message,
11 correct? You can take that down.

12 BY MS. APPENTENG:

13 Q. And just a few questions for you. You were asked on
14 direct about having counsel to go into the grand jury, the
15 state grand jury, back in 2002. Do you remember those
16 questions?

17 A. Yes.

18 Q. Who provided that lawyer for you?

19 A. Robert.

20 Q. You testified -- you were asked questions in
21 cross-examination about wires and checks that you received
22 money for -- to help you pay your rent. Is that right?

23 A. Yes.

24 Q. And who did you talk to about receiving those rental
25 payments?

1 A. Robert.

2 Q. And who agreed to make those payments to you for your
3 rent?

4 A. Robert.

5 Q. You were asked on cross-examination about your contact
6 with Mr. Kelly around the time in 2019. Do you remember those
7 questions?

8 A. Yes.

9 Q. You said that you called Robert because you were afraid
10 about the situation with the tapes that you heard about the
11 new tapes that Cook County had received?

12 A. Yes.

13 Q. What were you afraid about?

14 A. This situation resurfacing and another tape being released
15 of he and I sexually engaging.

16 Q. And what -- strike that.

17 You were asked on cross-examination that back when
18 you were 14, 15, and 16 years old, you were denying your
19 relationship to the world. Do you remember being asked those
20 questions?

21 A. Yes.

22 Q. And at that time you were 14, 15, 16 years old, who
23 instructed you to deny your relationship with Robert Kelly to
24 the world?

25 A. Robert.

1 Q. Again, you were asked questions about the DCFS and CPD
2 interviews that happened in 2000. Do you remember those
3 questions?

4 A. Yes.

5 Q. And that you were wanting to continue your relationship
6 with Mr. Kelly at the time?

7 A. Yes.

8 Q. Do you remember those questions?

9 A. Yes.

10 Q. And how old were you in 2000 around that time?

11 A. About 16, 17. 16. 15 or 16.

12 Q. You were asked some questions on cross-examination about
13 what you were able to do after the 2008 trial, what Mr. Kelly
14 allowed you to do after the 2008 trial. Do you remember those
15 questions?

16 A. Yes.

17 Q. What did Mr. Kelly allow you to do during the trial?

18 A. Nothing.

19 Q. Where did you stay? Where did you sleep and stay at that
20 time during the trial?

21 A. I was in the garage in the Olympia Fields house that was
22 turned into a gym, and I was in the office space in the house,
23 back and forth.

24 Q. Were there other places that you stayed during the trial
25 when the trial was going on?

1 A. Hotels.

2 Q. Where? Safe to say the suburbs of Chicago?

3 A. Yes.

4 Q. And why were you staying in hotels during the trial?

5 A. Because I was not to be in the house with all of the
6 possibilities of things that were happening legally.

7 Q. You weren't supposed to be seen, is that what you're
8 saying?

9 A. Yes.

10 MS. APPENTENG: This is wrapping up, your Honor.

11 BY MS. APPENTENG:

12 Q. Now, those text messages that you were shown on
13 cross-examination that were between you and Mr. Kelly, those
14 were text messages in 2018; is that correct?

15 A. Yes.

16 Q. And about how old were you in 2018?

17 A. I was about late 20s, early 30s.

18 Q. In your 30s?

19 A. Yes.

20 Q. What was Mr. Kelly's reaction to you as you saw in those
21 text messages in 2018 where you were suggesting that you two
22 get together?

23 MS. BONJEAN: I'm going to object to -- I mean, the
24 text messages have been admitted. I don't -- if she's asking
25 her to characterize, I think that's improper.

1 MS. APPENTENG: My question was, what was your --

2 THE COURT: I don't know. Overruled. Go ahead.

3 BY MS. APPENTENG:

4 Q. My question was: What was Mr. Kelly's reaction to you in
5 2018 when you suggested getting together in those text
6 messages? Did he respond?

7 A. Yes.

8 Q. Did he respond every single time?

9 A. No.

10 Q. When you were 14, 15, and 16 years old, did Mr. Kelly make
11 efforts to see you?

12 A. Yes.

13 Q. And how frequently did he make those efforts to see you at
14 that time when you were 14, 15, and 16 years old?

15 A. Weekly.

16 Q. I'm sorry?

17 A. Weekly, daily.

18 Q. And what happened on those occasions when you all were
19 together, you and Mr. Kelly when you were 14, 15, and 16 years
20 old?

21 A. Sometimes we would just hang out or I would be in the
22 studio, or sometimes we would have sexual engagement.

23 MS. APPENTENG: A moment, your Honor.

24 No further questions.

25 THE COURT: Okay. You can step down.

1 (Witness excused.)

2 THE COURT: Call your next witness, please.

3 MS. POZOLO: The United States calls Special Agent

4 Melissa Siffermann.

5 Can the witness be sworn, your Honor?

6 THE COURT: Oh, excuse me.

7 (Witness sworn.)

8 THE WITNESS: I do.

9 THE COURT: Ms. Pozolo, you may question the witness.

10 MS. POZOLO: Thank you, your Honor.

11 MELISSA SIFFERMANN, GOVERNMENT'S WITNESS, SWORN

12 DIRECT EXAMINATION

13 BY MS. POZOLO:

14 Q. Good afternoon.

15 A. Good afternoon.

16 Q. Can you please state and spell your name for the record?

17 A. Melissa Siffermann, S-i-f-f-e-r-m-a-n-n.

18 Q. Where are you employed?

19 A. I'm a special agent with Homeland Security Investigations.

20 Q. Is Homeland Security Investigations commonly referred to
21 as HSI?

22 A. Yes, it is.

23 Q. What is your job title?

24 A. A special agent.

25 Q. How long have you been a special agent with HSI?